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JANUARY 2008

IN THESE TIMES

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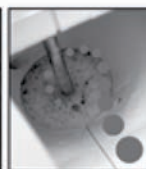
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FLORIAN OSENBERG

The Boy Who Cried WMD

There goes the Axis of Evil. On Dec. 3, news broke that 16 U.S. intelligence agencies had concluded that Iran had

halted its nuclear arms efforts in 2003. You would think the report—known as the National Intelligence Estimate (NIE)—would give Bush pause in his push for another war. You'd be wrong.

At a Dec. 4 White House press conference, Bush said, "Iran is dangerous, and the NIE doesn't do anything to change my opinion about the danger Iran poses to the world. Quite the contrary."

For years the Bush administration and its neoconservative buddies have been ratcheting the rhetoric against Iran. At an Oct. 17 press conference at the White House, Bush warned that Tehran's nuclear development could lead to "World War III." Less than a week later, Vice President Dick Cheney told the Washington Institute for Near East Policy, a neoconservative think tank, that Iran would face "serious consequences" if it continued to enrich uranium. "Our country, and the entire international community, cannot stand by as a terror-supporting state fulfills its grandest ambitions," Cheney said.

These statements were made two months after Adm. Mike McConnell, the director of national intelligence, briefed Bush on the fact that the intelligence agencies were reassessing Tehran's nuclear ambitions and that a change to the intelligence estimate was in the works.

But on Dec. 4, Bush pleaded ignorance, claiming he didn't receive the new NIE until it was released on Nov. 28. McConnell, Bush claimed, "didn't tell me what the information was. He did tell me it was going to take a while to analyze."

Rrrright. If Bush, in fact, wasn't aware of the tentative conclusions that the intelligence community had reached months ago, what does that say about how in-touch he is in regard to national security? And if he did know, then he's lying to the American people.

And surely Cheney, who has been fixated on Iran from the get-go, was not out of the loop.

The New Yorker's Seymour Hersh told CNN on Dec. 4 that his sources say Bush knew about the NIE at least two days before the report was released. Hersh told CNN that Bush had a "private discussion" about the NIE with Israeli Prime Minister Ehud Olmert before the Middle East peace summit in Maryland on Nov. 27.

All of this must be frustrating for folks like International Atomic Energy Agency Director General Mohamed ElBaradei, who has said time and again that no recent evidence exists of an undeclared nuclear weapons program in Iran.

As for the Democratic presidential frontrunners, Sen. Hillary Clinton (N.Y.) has rightly been criticized for her September vote to help pass a resolution that declared Iran's Revolutionary Guards a terrorist organization, a measure that many observers agree was introduced to help set the stage for an attack against Iran.

For his part, Sen. Barack Obama (Ill.) has been somewhat more progressive, broaching the apparently radical idea in September that he would talk with Iranian President Mahmoud Ahmadinejad. Still, in 2004, Obama told the *Chicago Tribune* that he would favor bombing Iran if U.N. Security Council pressure and economic sanctions had no effect in thwarting Iran's nuclear ambitions. "My instinct would be to err on not having those weapons in the possession of the ruling clerics of Iran," he said. "And I hope it doesn't get to that point. But realistically, as I watch how this thing has evolved, I'd be surprised if Iran blinked at this point."

The Bush administration misled the nation into a war in Iraq. It wanted to mislead us into Iran. It's time for George W. Bush to holster his guns and ride off into that Wild West sunset only he can see.

—Sanhita SinhaRoy

IN THESE TIMES

"With liberty and justice for all..."

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mixed reaction

JUST THE FACTS



162 Number of goods featured in the Dec. 2 issue of *T* (the *New York Times Style Magazine*) on which the editors put a price tag.

2.39 Millions of dollars it would cost to buy these 162 fashionable items.

110 Number of families of four that money could support for a year at the official poverty level of \$20,650.

108 Number of years since Thorstein Veblen coined the term "conspicuous consumption" in *The Theory of the Leisure Class*.

“

I keep a weblog so that I can breathe in this suffocating air ... In a society where one is taken to history's abattoir for the mere crime of thinking, I write so as not to be lost in my despair ... so that I feel that I am somewhere where my calls for justice can be uttered ... I write a weblog so that I can shout, cry and laugh, and do the things that they have taken away from me in Iran today.

”

—LOLIVASHANEH.BLOGSPOT.COM FROM *WE ARE IRAN: THE PERSIAN BLOGS*

LABANARAMA BY TERRY LABAN



QUID PRO QUO

THE QUID:

As assistant secretary for health affairs at the Department of Defense, William Winkenwerder Jr. oversaw all healthcare for the military. When he retired from the post in April, it didn't take long for him to find new work in the private sector: On June 1, Logistics Health Inc., a Wisconsin-based private medical contractor, snapped him up to serve on its board of directors. It was a wise hire.

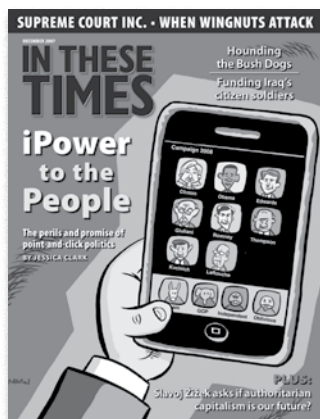
THE QUO:

On June 13, the DoD began accepting bids on a contract to provide dental exams for soldiers about to leave for war. On Sept. 25, the contract, worth hundreds of millions of dollars, went to—wait for it—Logistics Health, despite the fact that it overbid at least one company by \$100 million. The contract, however, has been temporarily put on hold, after some of the competing companies bitched to



the Government Accountability Office (GAO) about the deal's unseemliness. The GAO will make a final decision about the contract's validity by Jan. 14.

letters



Virtually Political

Thanks for a nice overview and critique of the Internet politics fad in Jessica Clark's "iPower to the People" (December 2007). One aspect of it all that makes this old new-leftist skeptical is that it seems solely concentrated on presidential elections. I'll start believing more in the revolutionary potential of online organizing when I see it happening at the congressional, state and local levels.

But it's a lot harder for a potential candidate to find constituents' e-mail addresses (as it should be!) than to go door to door in their constituency—which they don't bother to do anymore anyway. Oh, well. Some things about the Old Politics have yet to be rediscovered, let alone transcended.

*Chris Nielsen
Shoreline, Wash.*

Bill Cosby Right?

I do not agree with Laura S. Washington or Bill Cosby ("Come On People! Bill Cosby Is Right," December 2007). Cosby and co-writer Alvin Poussaint harm blacks when they, as black folks, tell children that they could become

president of the United States or that Sen. Obama actually has a chance of winning the presidency. What tomfoolery.

Perhaps Cosby and his followers have yet to notice how overwhelmingly white the leaders in local, state and national offices of government are.

I am deeply concerned that the only solution to the problems facing the descendants of America's slaves was not even mentioned: reparations. Until the damages from slavery are repaired (and reparations

Identifying 'the left' and 'progressives' solely in terms of the Democratic Party just does not cut it.

are not just about money), descendants of slaves in America will not see substantive changes for their future generations.

*Jeff Savage
Via E-mail*

Kudos for Laura S. Washington in "Come On People! Bill Cosby Is Right" (December 2007). I recently retired after spending a lifetime teaching in inner-city schools, I couldn't agree with Washington more.

*William Joseph Miller
Los Angeles, Calif.*

Keep Private Enterprise

Susan J. Douglas spends many words in favor of Paul Krugman's proposals for a single-payer healthcare system in "Tax and Spend? Hell, Yeah!" (December 2007). While Krugman's arguments for change are right-on, he does a poor job of offering

well-thought-out proposals for fixing the system. In order to effectively universalize the U.S. healthcare system, we need a plan that keeps private enterprise in the loop where it functions best, and government in the loop where its resources are most efficiently utilized.

*Irwin Tyler
Via E-mail*

Susan J. Douglas recommends universal preschool in "Tax and Spend? Hell, Yeah!" (December 2007). Doesn't

she mean "universal, expensive baby-sitting services"? I've got a better idea: Let's encourage parents to take care of their own kids rather than foisting them on strangers as soon as they can.

*Jim Harris
Via E-mail*

Asking Questions

I was dumbstruck by this sentence in Jacob Wheeler's "Banana Republic to Baby Republic" (December 2007): "Adoptive parents can spend approximately \$25,000 to \$30,000 to adopt from Guatemala, and most of them leave days or weeks later with their little ones cradled in their arms, and with no questions asked as to how the attorneys acquired their babies."

For one, the parents leave "days or weeks later" because they've spent a year or two filling out paperwork and gathering approvals. I'm not defending Guatemala—that system is

in sore need of reform. But to say that parents leave "with no questions asked" is both cruel and inaccurate.

*Jeff Gammage
Staff Writer*

The Philadelphia Inquirer

Green Blindness

In These Times recently sent me a questionnaire asking why my subscription of many years had lapsed. Ken Brociner's article, "The Left's Identity Crisis" (November 2007), is a perfect example of why I am disaffected. Identifying "the left" and "progressives" solely in terms of the Democratic Party just does not cut it.

Brociner laments that progressives must remain in the Big Tent of the Democratic Party while also conceding that winning the presidency won't bring about desperately needed fundamental changes.

Your magazine simply refuses to acknowledge the Green Party as an important force within the political spectrum. It was the Green Party that pushed for an examination of vote fraud in Ohio in 2004, not to mention that it is the fastest growing party in this country.

*David McCorquodale
National Delegate to
Green Party United States
Wilmington, Del.*

EDITOR & PUBLISHER JOEL BLEIFUSS RESPONDS

McCorquodale is wrong. *In These Times* has long recognized the Green Party as an "important force." One need look no further than the 2000 election and the role it played in helping elect George W. Bush president.

contributors

Dear Reader,

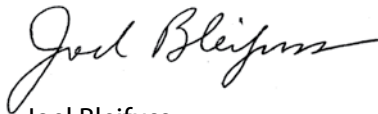
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May the new year be good to you and yours.

In solidarity.



Joel Bleifuss
Editor & Publisher

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For more information call Anna Grace Schneider at 773-772-0100 x 242 or e-mail her at: anna@inthesetimes.com.



FRIDA BERRIGAN is senior program associate of the Arms and Security Initiative at the New America Foundation. Previously, she served for eight years as deputy director and senior research associate at the Arms Trade Resource Center at the New School's World Policy Institute in New York City. Frida is a columnist for *Foreign Policy in Focus* and a contributing editor of *In These Times*.



MARTHA BIONDI is an associate professor of African American Studies at Northwestern University and the author of *To Stand And Fight: The Struggle For Civil Rights In Postwar New York City*. She is currently writing a book on black student protest and the origins of African-American studies.



DAVID A. LOVE is a journalist, lawyer and human rights advocate based in Philadelphia. He is an editorial board member of BlackCommentator.com, and a contributor to the Progressive Media Project and the Philadelphia Independent Media Center. His blog is davidalove.com.



HOLMES WILSON is an advocate for independent media who is currently living in Brazil. He is a co-founder of the music activism project Downhill Battle (downhillbattle.org) and the media-democratizing Internet TV software "Miro" (getmiro.com).



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SEC Chairman Christopher Cox (right), flanked by Commissioners Annette Nazareth and Paul Atkins, testifies during a House Financial Services Committee hearing on June 26.

MARK WILSON/GETTY IMAGES

No New Year Resolutions?

SEC proposes curbing shareholder power

BY KARI LYDERSEN

THE U.S. SECURITIES & Exchange Commission (SEC) has proposed changes that could prevent many shareholders from raising issues of social and environmental corporate responsibility.

Over the past few decades, shareholder resolutions have played a significant role in persuading major companies to improve their labor, environmental and corporate governance practices.

In 2004, Coca-Cola executives backed a shareholder resolution that led the company to invest in HIV prevention in Africa. The measure passed with flying colors.

Over the past 15 years, a series of shareholder resolutions have helped force Nike to monitor labor conditions in its international supply chain. And shareholder resolutions have persuaded corporations, in-

cluding Tyco and American Electric Power, to cut back on greenhouse gas emissions.

But the SEC has proposed curbing these non-binding shareholder resolutions after a Sept. 2006 decision by the U.S. Court of Appeals for the Second District in New York spurred the agency to clarify a rule on whether shareholders can pass resolutions to nominate a person for a company's board of directors. As a result of the court's decision, the SEC drafted two proposals. The first would prevent such nominations. The second would allow them—but only with extensive restrictions. In the document explaining these proposals, SEC commissioners also discussed changing the way with which shareholder resolutions are dealt.

"From a legal point of view, the [SEC's document] is not a formal rule proposal,"

says Domini Social Investments General Counsel Adam Kanzer. "But you have to take this seriously because it means the SEC is considering something and the next step might be a formal proposal."

On Nov. 28, 2007, in a 3-1 party line vote, the SEC blocked investors from nominating board of director candidates. The vote did not deal with the proposed revisions to the shareholder resolution process, so it remains unclear whether commissioners will keep that proposal on their agenda. Socially responsible investment leaders say they are watching carefully to see if the SEC will return its focus to shareholder resolutions this spring.

A two-month public comment period for the SEC proposals closed Oct. 2, in which more than 22,500 comments were submitted. The vast majority of comments opposed curbs on shareholder rights.

Although resolutions calling for a company to change its practices rarely get more than a small percentage of shareholder votes, they have often been an effective way to get media attention, and thereby force a corporation to address an issue.

Along with targeting deforestation, sweatshops, greenhouse gas emissions, investment in oppressive regimes and other such issues, non-binding shareholder resolutions can address corporate governance issues, including creating transparency, non-discriminatory hiring, and capping CEO salaries. Many times, a company may agree to change its policies to avoid having a resolution included on the proxy statement for its annual meeting.

But in the SEC's recent proposal, the agency suggests allowing corporations to "opt-out" of allowing non-binding advisory shareholder resolutions.

"The companies that don't want to be held accountable would be the ones to opt-out," says Tim Smith, chairman of the Social Investment Forum, a nonprofit organization whose members include hundreds of banks, mutual fund companies, analysts, and other financial professionals and institutions.

The SEC proposal also mentions replacing the shareholder resolution process with an electronic chat room and increasing the "resubmission threshold," which is the percentage of votes a reso-

lution must receive in order to be introduced the following year.

Currently, a resolution needs only 3 percent of votes its first year to be re-introduced, 6 percent the second year and 10 percent the third year.

The SEC document discusses raising these thresholds to 10, 15 and 20 percent, respectively.

"About 80 percent of resolutions do get enough votes to come back," says John Wilson, director of socially responsible investing for Christian Brothers Investment Services. "But when you talk about needing 15 to 20 percent more votes, you'll exclude a lot of good resolutions that people just don't know about."

Wilson says that when his group started filing climate change resolutions in the '90s there wasn't much interest. Now the resolutions are so popular that one filed with ExxonMobil got 31 percent of the vote this year.

In 2007, shareholders filed a record 43 climate change-related resolutions with U.S. companies, with 15 of them leading to positive actions, including resolutions filed with ConocoPhillips, Wells Fargo and Hartford Insurance, according to

the Investor Network on Climate Risk, a \$4 trillion network of investors with the stated mission of "promoting better understanding of the investment risks and opportunities posed by climate change."

The U.S. Chamber of Commerce and the Business Roundtable (neither of which responded to interview requests for this story) filed public comments supporting curbs on shareholder resolutions, as did a handful of companies, such as General Motors, Xerox and Apache. Critics of advisory shareholder resolutions commonly refer to them as representing "special interests."

"How can groups with trillions of dollars invested be special interests?" asks Smith.

If the SEC's proposals are instituted, socially responsible investors and advocacy groups whose interests they represent fear companies would be freer to profit from exploitative and destructive practices without fear of public oversight.

"It would be a big loss," says Wilson. ■

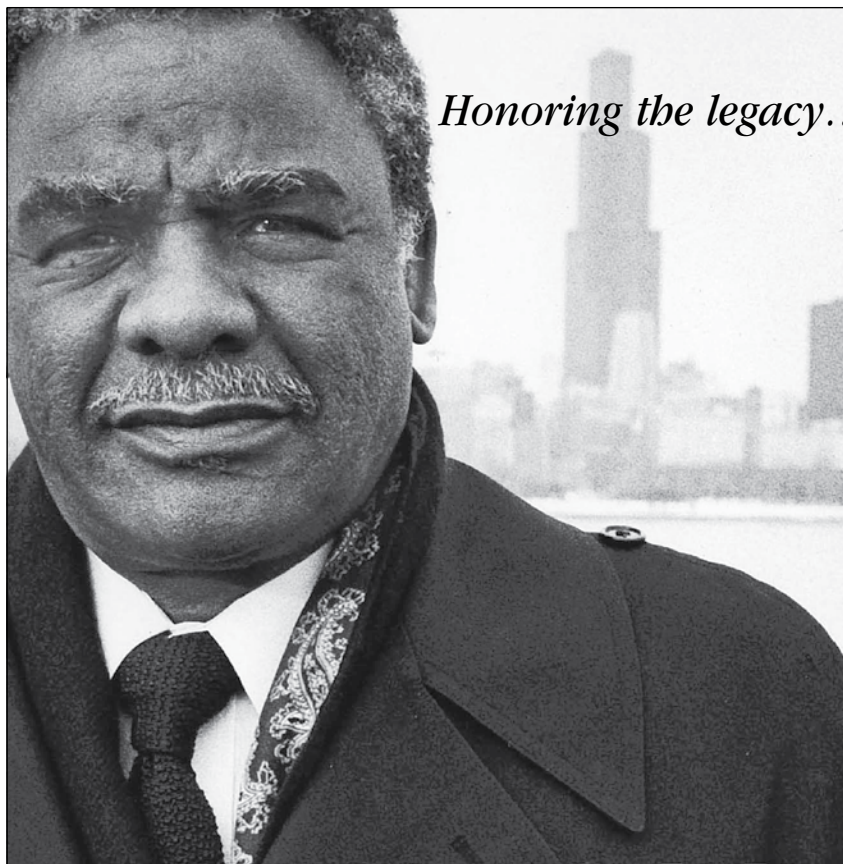
KARI LYDERSEN writes for the Washington Post out of the Midwest bureau and is the author of *Out of the Sea and into the Fire: Latin America-U.S. Immigration in the Global Age* (AKPress, 2004).

RoboCop in Iraq

IMPROVISED EXPLOSIVE DEVICES, or IEDs, have killed 1,678 U.S. military personnel in Iraq and Afghanistan since July 2003, according to Georgia-based Iraq Coalition Casualty Count. The death toll could have been much higher without the help of 5,000 IED-detecting robots that, according to CBS News, have found 10,000 roadside bombs in Afghanistan and Iraq. But the next step in the evolution of wartime robots looks to go from saving lives to taking them.

The U.S. Army soon plans to deploy armed robots with firepower into the wars in Iraq and Afghanistan. Designed by Foster-Miller, these robots, known as SWORDS (Special Weapons Observation Reconnaissance Detections Systems), are operated and fired by remote control. They can be outfitted with M240 or M249 machine guns or Barrett .50 caliber rifles.

The 5th Special Forces in Iraq evaluated the system, and three other systems have completed evaluation with the 3rd Infantry Division and deployed to Iraq in 2007. Meanwhile, the Army continues to assess alternative weapons, including

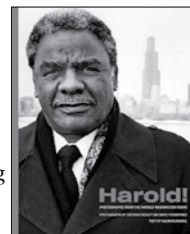


Honoring the legacy... sharing the memories

Celebrate the 25th anniversary of the election of Harold Washington with

HAROLD! Photographs from the Harold Washington Years

In These Times own Salim Muwakkil, along with photographers Antonio Dickey and Marc PoKempner, present the story of one of the most remarkable grassroots movements in the history of Chicago told through Muwakkil's words and more than 100 striking photographs.



Published by Northwestern University Press.
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Visit us at www.nupress.northwestern.edu
or for more information on the Harold Washington
Commemorative Year, visit www.bwcy.org.

PANTIES FOR PEACE

Despite international pressure and massive demonstrations, Burma's military leaders have shown little progress toward democracy. So activists have gotten creative: A Thailand-based group called Lanna Action for Burma launched a campaign called "Panties for Peace," which urges people worldwide to send women's undergarments to embassies in response to the recent crackdowns on protesters.

The military dictatorship's superstitious leaders deem any contact with female undergarments or sarongs as a culturally insulting gesture that will disempower them.

A speaker for the group named Tomoko told the U.K.'s *The Independent*, "We want to raise awareness first, and we want to target officials, letting them know we are against them abusing their power. We are sending the generals panties as a symbol of putting their power down."

The group's website provides addresses to several Burmese embassies and suggests including photos of the generals to add a personal touch. It encourages individuals to "post, deliver or fling" their underwear to their nearest Burmese embassy. "This is your chance to use your Panty Power to take away the power from the [State Peace and Development Council, the Burmese regime,] and support the people of Burma."

Panties have been sent to embassies in Australia, Singapore, Hong Kong, the United States and several European countries.

For more information, visit <http://lannaactionforburma.blogspot.com/> or <http://www.pantiesforpeace.com/>.

—Akito Yoshikane



A remote-controlled, bomb-defusing robot carries back the blasting cap of a roadside bomb to clear it from a Baghdad street.

grenade launchers and anti-tank rocket launchers. Each unarmed version of the robot costs \$60,000.

SWORDS first received major media attention in 2005, when the Associated Press reported, "Military officials like to compare the roughly three-foot-high robots favorably to human soldiers: They don't need to be trained, fed or clothed. They can be boxed up and warehoused between wars. They never complain. And there are no letters to write home if they meet their demise in battle."

In addition to Foster-Miller, iRobot, founded in 1990 by MIT roboticists, is one of several robotic companies contracting with the military—though it may be most well known for its Roomba, the popular robotic, home vacuum cleaner. On Oct. 21, 2007, CBS reported that iRobot's Warrior is expected in Iraq by 2009. The Warrior "is a serious robot," said Joe Dyer, iRobot's president of Government & Industrial Robots Division. "This is a 250-pound robot that will be able to run a four-minute mile." Depending on the intensity of the mission, the Warrior could last up to 16 hours.

Warrior, like SWORDS, is currently being designed to have human operators, but engineers are simultaneously testing the ability of robots to "think" for themselves. This "disruptive technology," Dyer said, is "going to change the way we fight, the way we live—it's going to change our entire lives."

Max Boot, senior fellow for National Security Studies at the Council on Foreign Relations, agrees. "These are periods of momentous change when new technologies combine with new doctrines and new forms of organization to transform not only the face of battle but also the nature of the state and of the

international system," he says.

Boot, author of *War Made New: Technology, Warfare, and the Course of History*, notes that the U.S. budget for research and development for military technology alone—\$71 billion in 2006—is more than any other country spends on its entire defense. And it's only a fraction of the annual U.S. military budget, which is now at \$500 billion—almost as much as the rest of the world combined.

In the next five years, according to DefenseLink, the Pentagon plans to spend \$2 billion on robots. As Jim Braden, project manager of the Army's Joint Robotics Program, told CBS, "It's a tremendous capability to put a robot where you do not want to put a man."

But it also raises serious concerns about the likelihood for increased military aggression when the potential for deaths for U.S. soldiers is eliminated or decreased in the equation of war. The problem, according to Peter W. Singer, a senior fellow at the Brookings Institution and author of the forthcoming book, *Wired for War*, is that "we have an assumption of who fights wars that is increasingly outdated. While our understanding of war ... assume[s] that combatants are only soldiers serving on behalf of states, the reality of war today is that combatants range from soldiers to terrorists to warlords to contractors, and now to unmanned systems."

Singer adds, "To be clear, it doesn't mean that the state or human soldiers are disappearing by any means, but that their monopoly is being broken." He says history will look back at this period as "notable for the loss of the state's 200-year-old monopoly over warfare and that of humankind's 4,000-year-old monopoly over doing the job of fighting wars."

—Allen McDuffee

Bike-Sharing Is Caring

WHILE ✕ OR✕IT✕ THE graveyard shift in a University of Virginia computer lab 13 years ago, Paul DeMaio had dreams of the open road. On a whim, the avid cyclist and environmentalist entered “public bikes” into a search engine and discovered images of Bycyklen, Copenhagen’s then-new bike-sharing service. One glimpse and DeMaio was hooked. “The idea just blew me away,” he says. “This was it.”

DeMaio arranged to study in Denmark, where he absorbed as much about bike-sharing culture as possible. Convinced that the idea would appeal to Americans, he created MetroBike LLC, a bicycle planning and bike-sharing consulting company based in Washington D.C. And now, more and more cyclists and legislators are turning their attention to DeMaio’s cause. “We’ve come a long way,” he says. “Bike-sharing really has gotten a lot of attention.”

Essentially, bike-sharing programs provide cheap access to bicycles, mostly for inner-city transportation. In the late ’60s, some Europeans placed donated bikes across cities like Amsterdam and Milan for residents to ride free of charge, hoping to provide citizens with an ecologically friendly mode of travel. But vandalism and theft sank nearly all of the early campaigns. Today, technology—such as electronic payment, tracking and locking systems—has helped reduce crime and revive bike-sharing efforts worldwide.

The Vélib in Paris, a new venture owned and operated by the city but co-financed by the JCDecaux advertising corporation

in exchange for exclusive rights to on-street advertising, has quickly become the most comprehensive and successful bike-sharing program in the world. Socialist Mayor Bertrand Delanoë launched the Vélib in July by placing 10,000 bicycles at 750 stations throughout the city. For a small credit card fee (29 euros a year, or about \$43), Parisians can swipe the card at any bike rack, grab an available two-wheeler, ride it across town and leave it for others at their new destination. Bike rental is free for the first 30 minutes, which accounts for 80 percent of all rides, and only a marginal cost for each additional half-hour. Officials intend to double the fleet by 2008 as more than 6 million rides were recorded in the first three months, with every bike being rented an average of 10 times a day, according to a report in *Business Week*.

While the Vélib is the largest program to date, Paris is not alone in its cycling enthusiasm. Various cities across the globe have implemented successful bike-sharing systems in recent years, including Barcelona, Stockholm and Berlin. Beijing, known as the Kingdom of Bicycles, recently unveiled plans to unleash 50,000 bikes in time for the 2008 Olympics.

Bike-sharing fever has even spread to the United States, a country lacking a robust bike culture but one where car-sharing has thrived and biking is becoming more mainstream. In San Francisco, the city Board of Supervisors is set to vote on a contract with Clear Channel Outdoor Inc. that would establish a bike-sharing program in return for advertising rights on transit shelters. Chicago Mayor Richard Daley visited Paris in September to test the Vélib in action and is considering a similar program for the Windy City. New York City, Portland and Washington, D.C. officials have also expressed interest.

Margo O’Hara, communications director for the Chicagoland Bicycle Federation, points out that reducing dependency on the automobile—and the carbon emissions, pollution, and traffic it creates—is the most obvious attribute of bike-sharing, but a well-designed system has other virtues. “The cool thing about bicycling,” she says, “is that it’s public. You’re able to talk to people on your commute to work, as opposed to being in this confined vacuum of a car.” Bike-sharing also provides a cheap, sustainable appendage to under-funded and overcrowded mass transit systems. “Bike-sharing is not going to replace bus

or rail transit,” says DeMaio, “but it’s really complimentary ... because it does extend these other modes of transit’s reach.”

Bike-sharing certainly isn’t perfect. Safety is a concern, especially in cities lacking bike-friendly infrastructure. Helmets are generally not provided with a rental, and theft, while complicated by user electronic identification, still poses a financial risk.

There’s also the possibility that people who could benefit from such services—namely, low-income people who need reliable transportation but have problems affording it—will not be served, especially in cities like Chicago and Washington, D.C. that are highly segregated, both economically and racially. DeMaio stresses that, for the programs to be most effective, local legislators must distribute bike-sharing resources equitably. “It’s up to the government to ensure that the stations are placed in underserved neighborhoods,” he says, “to ensure that people of all backgrounds ... have access to this mode of transit.”

But those are small concerns for an overwhelmingly popular movement. “I think the demand is there,” says O’Hara. “And you can see in Chicago: The more acceptable it is to bike, the more people bike.”

—Adam Doster

Dropping Out of Electoral College

A ST ✕-ORD U✕IVERSIT✕ COMPUTER scientist named John Koza has formulated a compelling and pragmatic alternative to the Electoral College. It’s called National Popular Vote (NPV), and has been hailed as “ingenious” by two *New York Times* editorials. In April, Maryland became the first state to pass it into law. And several other states, including Illinois and New Jersey, are likely to follow suit.

How NPV works is this: Instead of a state awarding its electors to the top vote-getter in that state’s winner-take-all presidential election, the state would give its electoral votes to the winner of the national popular vote. This would be perfectly legal because the U.S. Constitution grants states the right to determine how to cast their electoral votes, so no congressional or federal approval would be required. NPV could go into effect nationwide as soon as enough states pass it (enough states to tally 270 electoral votes—the magic number needed to

Two public bikes await cyclists in Germany.



elect a president). In 2008, NPV bills are expected to be introduced in all 50 states. "We'll have it by 2012," says Robert Richie, executive director of the reform group Fair Vote.

NPV is an agreement between the states to honor the wishes of a plurality of American voters. (Koza came up with the idea from his experience working on lotteries, where state compacts are common.)

In the last 20 years, partisan trends have made presidential elections a series of separate contests in a shrinking number of competitive states. Republican and Democratic candidates alike consider two-thirds of the states to be "spectator states." They often ignore voter registration efforts and spend considerably less money in those states—if they visit them at all.

In 2004, candidates spent 99 percent of campaign funding in only 16 states, leaving the rest of the country without a political voice. Highly populated states like New York and California, and states in much of the South, are considered "safe" and therefore offer little incentive for candidates to pay attention to their residents.

Currently, 70 percent of white voters and 80 percent of non-white voters live in

spectator states. In the '70s, three in four black voters lived in swing states where their population total was larger than the margin of difference in elections. But today, only 17 percent of black voters are in that position. Not surprisingly, presidential candidates pay less attention to issues that concern many African Americans.

According to its advocates, NPV promises basic fairness. For example, as electoral rules stand now, the loser of the national popular vote can still be elected president, as happened in 2000. Under NPV, all votes in the country would count the same. NPV would, in Richie's view, "awaken people's belief in the possibility of change" and prove that fundamentally unfair structures can be reformed.

Over the years, according to Koza and Richie, 65 to 70 percent of U.S. voters have supported direct election of the president. The declining number of battleground states now gives many states an incentive to sign on.

Illinois is the quintessential example of the flaws in the current system. As a safe state for Democrats, both major party candidates ignore it. There is little motivation to campaign there since the

winner in Illinois gets only 21 electoral votes and the loser gets nothing. As a result, Illinois voters play virtually no role in shaping the issues of the election.

Illinois stands to become the second state to pass an NPV law. Last spring, the state house and senate passed bills that are currently being resolved and will head to the desk of Gov. Rod Blagojevich, who as a member of Congress supported efforts to reform the Electoral College.

According to advocates, New Jersey also appears likely to pass the law this year.

Koza, who originated the plan for NPV, also chairs National Popular Vote Inc., the coalition leading the national campaign. He predicts the 2008 presidential election will be a turning point in the rise of NPV.

Currently, it's hard to imagine a party's presidential nominee visiting Harlem, N.Y., Compton, Calif., or Detroit, Mich., never mind investing in voter registration efforts in these poor, predominantly black and Latino areas. But a fairer, more democratic voting system could hold the potential to transform the electoral process and revive grassroots participation in politics.

—Martha Biondi

appall-o-meter

3.3 A Different Kind Of Credit Crunch

A riot broke out the Saturday after Thanksgiving at a Wauwatosa, Wis., Kmart store, but it was no mere case of Christmas shopping frenzy. Rather, word had spread that, thanks to a computer error, everyone who applied for a Kmart credit card was approved — and given a line of credit from \$800 to \$4,000.

The store was quickly mobbed and ran out of applications. When two women began scuffling over an application, it was off to the races. "Two ladies was jumping a lady over credit cards," witness Sylvester Wilson told WISN 12 News in Milwaukee. "It was a nice brawl. It came from inside to outside. If you go up there, you'll see hair, earrings, all pulled out on the ground." At least one store employee took a blow to the face and was sent through a glass display case.

Meanwhile, according to another witness, one enterprising individual had gone to a different Kmart, grabbed a stack of applications, and was selling them in the Wauwatosa parking lot.

0.2 What's Good for the Babe is Good for the Litter

Dog lovers. What won't they gladly share with their beloved pooches? Their homes? Their food? Their beds? Their breasts?

Kine Skiaker, a young mother in Siggerud, Norway, has set a truly inspirational example for canine lovers everywhere.

According to *Aften-posten*, Skiaker's Canarian Warren Hound, Aida, died while giving birth to a large litter of young. A few puppies managed to survive, she told the newspaper, and they looked awfully hungry.

She was already nursing her young son, Emil, so she figured, what the hey, why not divert some of that action to the orphaned whelps until some surrogate bitches could be found?

The eight little nippers she breastfed — nine if you count Emil — have



survived. "That makes me feel good," Skiaker said. "Then I can accept that some think what I did was nauseating."

1.4 Potency to the People

The fabled ward heelers of Tammany Hall have nothing on a candidate for local government in the Pathum Thani province north of Bangkok, Thailand, who is handing

out Viagra to elderly voters at social functions.

According to the Associated Press, Sayan Nopcha of the People's Power Party has been raising a stink about the practice, but he won't name the politician who's doing it. "I think this is a very bad way of vote-buying," Nopcha says.

True, but as a service to constituents it's hard to beat.

—Dave Mulcahey

Acid-Mining Michigan

THE old, old picturesque Salmon Trout River in Michigan's Upper Peninsula is home to the last breeding coaster brook trout on the south shore of Lake Superior. This native fish is awaiting classification to endangered species status by the Department of Fish and Wildlife.

But the Upper Peninsula has also coexisted with the copper and iron mining industries since the late 1800s. And its newest mining suitor, Kennecott Minerals Corporation, wants to build sulfide—or “acid mines”—that could irrevocably harm the local environment and the surrounding Great Lakes ecosystems.

Kennecott, a Utah-based subsidiary of multinational Rio Tinto, has become a Michigan land baron. Since 1994, the corporation has acquired more than 500,000 acres and leased 26 percent of all mineral rights alone in Marquette County, which is in the northern Upper Peninsula.

The company plans to develop a nickel sulfide mine—known as the Eagle Project—beneath the Salmon Trout River. These mines are referred to as “acid mines” because they produce sulfuric acid (battery acid) and release heavy metals—including arsenic, mercury and lead—into watersheds, destroying all life. There has never been a non-polluting sulfide mine near a watershed, according to the late Roscoe Churchill, a longtime Wisconsin anti-mining activist and author.

On its website, Kennecott claims the Eagle Project would have a “relatively small footprint” that would have “less impact to the environment and community.”

Since 2004, Kennecott has successfully lobbied members of Democratic Gov. Jennifer Granholm's administration and lawmakers from eight Upper Peninsula districts—initially to pass new sulfide mining laws, and currently to approve an 8,000-page mining permit application—according to a recent investigation by the *Great Lakes Bulletin*, a quarterly publication from the Michigan Land Use Institute.

In 1994, John Engler, Michigan's Republican governor, was at the helm when Kennecott leased the Escanaba River State Forest, where half of the ore body is located. During his tenure, Engler weakened Michigan's Department of Natural Resources (DNR) and created a “puppet” agency called the Department of Envi-

snapshot



RAMALLAH, WEST BANK — An elderly Palestinian man waits for released prisoners to arrive at the Muqata headquarters on Dec. 3, 2007. Israel freed 429 Palestinian prisoners in a gesture meant to strengthen moderate Palestinian President Mahmoud Abbas. (Photo by Uriel Sinai/Getty Images)

ronmental Quality (DEQ), which put industry on a self-regulating honor system.

In 2003, just after Engler's departure, the public got wind that Kennecott had discovered a rich ore body. But at the time, Michigan had no underground mining laws, despite its long history of iron oxide mining. The DEQ initiated a fast-track process to grant Kennecott a mining permit and, in 2004, invited a group of Michigan business interests—including Kennecott Minerals Project Manager Jon Cherry—and local environmental groups to a “Mining Work Group.”

At the first meeting, the DEQ announced that there would be no discussion about a “Wisconsin moratorium”-type mining law—a defeat for mining opponents. In 1997, voters in neighboring Wisconsin, facing parent company Rio Tinto's attempt to build a sulfide mine, had inserted a stipulation into their new mining laws requiring mining applicants to provide an example of a sulfide mine that, in 10 years, operated and closed without polluting the area's water. No mining company has entered Wisconsin since.

But the DEQ allowed Kennecott to do its own testing for the permit, despite

3,000 signatures from citizens requesting that the U.S. Geological Survey do it instead. The agency is considered the expert in hydrology testing. The DEQ also hired the HCItasca Consulting Group to review Kennecott data, even though Itasca's client list includes Rio Tinto.

Opponents to the Eagle Project nickel sulfide mine include former Republican Gov. William Milliken, Rep. Bart Stupak (D-Mich.), the Huron Mountain Club, the Keweenaw Bay Indian Community (a band of Lake Superior Ojibwa), local and national environmental and faith-based groups.

Over the course of this four-year battle, they have fought not only a corporate “green-wash campaign” by Kennecott, but also a DEQ agency that has been lax on looking at critical scientific data concerning the dangers of sulfide mining.

Mining opponents have provided more than 10,000 signatures to Granholm requesting a denial of Kennecott's permit, and 117 local doctors have also signed a request for denial. Yet the DEQ has granted Kennecott preliminary approval with a final announcement due sometime this winter. Counter-lawsuits could follow.

—Chuck Glossenger

BY SUSAN J. DOUGLAS

Beware the Credit-Industrial Complex



MY DAUGHTER is a freshman in college and is learning a lot, including how to manage her money. Recently, she got a powerful initiation into the predatory practices of banks—a lesson more and more of us are learning each month. She made a miscalculation and thought she had more in her account than she did. When she went to make a withdrawal from an ATM machine, the bank let her, even though she

was in deficit. Comerica bank continued to let her make such withdrawals, and charged her \$32 a pop for doing so. A \$4 charge at a coffee shop became a \$36 charge with the fee. A \$6 sandwich became \$38. She had never authorized the bank to permit deficit spending. And she, like most people, had no idea that the bank would still let her use her card if she was broke. The bank doesn't tell you it will do this. Why? Because it's a huge source of profit for them.

BusinessWeek reported on a student whose bank, Pittsburgh's PNC, allowed him to charge \$230 on his debit card even though his account was in the hole. PNC charged him \$217 in fees for the privilege. A PNC spokesperson says such a policy "helps our customers avoid embarrassment." The student said he would rather have been embarrassed than gouged.

In 2004, banks pocketed \$32 billion in service fees, up from \$21 billion in 1999. According to *BusinessWeek*, such fees accounted for 76 percent of profits at the Midwestern bank, TCF. Wells Fargo in San Francisco reportedly charges \$2 every time someone with a low balance calls a service representative, and a whopping \$30 an hour when a rep helps someone reconcile an account. Not surprisingly, the majority of these fees falls upon the poorest customers.

One out of five customers switches banks because he or she is so outraged by these charges. One estimate by Gartner Research shows that it costs banks less than 50 cents to return a payment request, while turning around and charging us anywhere from \$25 to \$40 for this "service."

The barely regulated banks are getting away with one usurious practice after the next: In addition to the subprime fiasco now threatening the entire economy, there are the extortionate service fees on your bank accounts and the escalating interest fees, late fees and truncated payment cycles on your credit cards. Millions of us now get credit card bills that give us 10 days—and those aren't 10 business days—to

pay up or get hit with a late fee. No wonder the credit card industry has been one of the most profitable in the country, earning on the order of \$30 billion annually. The rates credit card companies charge retailers have gone up 85 percent since 2001, and those are passed onto us.

In 2005, Congress passed the infamous bankruptcy "reform" act after major lobbying by the financial-industrial complex, adding to the enormous pressure many people are feeling from the mortgage-housing-credit crisis. Designed to protect creditors, the law makes it harder and more expensive to declare bankruptcy.

It used to be that people in financial trouble could file under Chapter 7, which typically allowed them to keep their homes while other property was sold off to help cover credit card and medical debts. What pissed off the

banks was that, after flooding everyone with offers to acquire even more credit cards, some of this debt would get massively reduced or written off under the old law.

The new law forces people to file under Chapter 13,

which requires them to accept a 3- to 5-year repayment plan on all debt. This may lead to even more foreclosures. And for those who still can use Chapter 7, it now costs twice as much to file as it used to. While many conservatives blame individuals for charging and borrowing irresponsibly, one of the major causes of going into such debt are the huge medical bills racked up by those without health insurance.

You also can't renegotiate mortgages in bankruptcy court. Reps. Brad Miller (D-N.C.), Barney Frank (D-Mass.) and others have introduced a bill that would allow bankruptcy courts to do this, but lobbyists for the banking industry are already working to scotch this. As Chris Hayes advocated recently online at *The Nation*, "the long-term challenge" is to regulate this industry. Hayes also reported that "Blue Dog" Democrats—the coalition of moderate-to-conservative Dems who vote with Bush Republicans—urged House Judiciary Chairman John Conyers (D-Mich.) to delay the Miller-Frank bill. This despite the fact that foreclosure rates continue to zoom, in some places two to four times what they were this time last year.

What the Democrats ought to do during their next trips back to their districts is just ask constituents what they think of their credit card companies, their banks and their mortgage companies. What they might hear is that these are some of the leeches people want pulled off of the body politic immediately. ■

Designed to protect creditors, the bankruptcy 'reform' act makes it harder and more expensive to actually declare bankruptcy.

BY SALIM MUWAKKIL

Come on Cosby, Stop Hatin'



DEEPENING CLASS CONFLICT within the black community has produced some interesting symptoms.

Every Saturday, black protesters march around the Washington, D.C. home of Black Entertainment Television President and CEO Debra Lee, demanding that the network stop airing what they call demeaning portrayals of African Americans.

Their major targets are the rap videos that specialize in sexually objectified or “hoochified” images of black women. But the hip-hop attitude of “keeping it real” and reflecting the ethos of the street is the true focus of their ire.

Black, middle-class opposition to hip-hop (or rap) music has accompanied the genre since its birth. But the furor over Don Imus’ “nappy-headed ho” comments last April churned up even more opposition, and it has been strong ever since.

Rap is a scapegoat not just for generational reasons, but also because it is a class-bound, cultural product of America’s most criminalized and marginalized population: urban black youth. The genre has a ghettocentric vibe that tends to discomfort many middle-class blacks.

In Chicago, black protesters regularly ring the Rev. Jesse Jackson’s Rainbow Push headquarters, contesting his role, as well as his style of leadership. One of their signs reads: “He’s pimping our community.” Many of those demonstrating against Jackson are jobless former inmates who argue that the civil rights leadership does little to ameliorate their plight. These ex-offenders consider themselves victims of the prison-industrial complex and are becoming increasingly aggressive in their attempts to be heard.

Bill Cosby’s campaign to bring attention to the behavioral deficits of lower-income members of the black community is another signpost of this growing class tension. Cosby made remarks in 2004 at an NAACP dinner in Washington, D.C. that castigated “the lower-income people” for not “holding up their end of the deal.”

Cosby’s major point was that African Americans’ negative behavior is more responsible for their misery than white racism. The famous funnyman’s comments sparked such an explosion of controversy that Cosby took his act on the road. He has since been making the rounds of the macaroni-and-cheese circuit of black churches and other venues of middle-class propriety.

Last year he upped the ante with a book, *Come on People:*

On the Path from Victims to Victors, that frames his hectoring broadsides in the comforting theme of cultural therapy. The softening of Cosby is probably due to the influence of his co-author, Dr. Alvin F. Poussaint, a Harvard psychiatrist with a history of progressive activism.

But the book, essentially, is a glorified advice manual.

With occasional sketches from Cosby’s road show—labeled “Call-Outs”—the book is a conventional self-help text with section tags like “Keep Your Cool, But Not Too Cool,” “Keep Those Kids In School” and “Slow Down On the Fast Food.” Cosby’s wit enlivens the prose, and Poussaint’s erudition lifts the message beyond rant.

Normally, I would resist responding to the work of a fellow *In These Times* columnist, but since the columnist clash at the *New York Times* has made intramural conflict all the rage, I

may as well jump on the bandwagon. Laura Washington, in her column last month, “Come On People! Bill Cosby Is Right,” lauded Cosby and Poussaint’s book.

She argued the book is on target with its advice for black

people to stop making excuses for dysfunctional behavior. She quoted approvingly: “Blaming only the system keeps certain black people in the limelight, but it also keeps the black poor wallowing in victimhood.”

No doubt, there is a time and place for the rhetoric of moral uplift. But Cosby makes blanket indictments of an entire class of black people and offers only exhortations from the sidelines. In so doing, he smothers the black community’s complexity and maligns the most vital cultural expressions of its youth. He reduces an entire class of people to a caricature designed for entertaining polemics.

With these sweeping generalizations, Cosby feeds the master narrative of black youth as amoral super predators and “baby daddies/baby mamas” who think the pursuit of education is “acting white” and who have a value system obsessed with shiny materialism (or bling-bling).

For Cosby and others of his ilk—like Juan Williams of National Public Radio and the Fox News Channel (whose book, *Enough: The Phony Leaders, Dead-End Movements and Culture of Failure That Are Undermining Black America—and What We Can Do About It*)—these miscreants are the true enemies of the black community.

Charges of racial treason echo in the protests of those ex-inmates outside Rainbow Push headquarters. The BET protesters shout that rap is too loud and undermines family values.

These, my fellow Americans, are the sounds of class conflict. ■

Cosby makes blanket indictments of an entire class of black people, maligning the most vital cultural expressions of its youth.

BY H. CANDACE GORMAN

Catch-22 in the 21st Century



WHEN I VISITED my client Abdul Hamid al-Ghizzawi at Guantánamo on Sept. 25 and 26, he brought with him two letters that he had been working on since summer. The letters, written in Arabic, were six pages and one page in length. The six-page letter described the torture he had endured since bounty hunters picked him up in Afghanistan in late 2001. The one-page letter contained instructions

upon his death. Al-Ghizzawi wanted to spend our meeting going over the letters so that if they got “lost” in the mail, the information would be recorded in my notes.

We spent most of our first of two meeting days with al-Ghizzawi reading his letters to me and elaborating or explaining as necessary, with me taking notes. At the end of our two-day visit I had 19 pages and, as required, I submitted my notes to the government. Al-Ghizzawi’s letters were handed to the guards. Government censors would read both before sending them to me.

On Oct. 11, I received al-Ghizzawi’s one-page letter, but only three pages of the six-page letter, along with a memo from the government explaining that the other three pages were being held at the “secret place”—the office the government set up for the attorneys reviewing classified information. I was astonished that the government classified al-Ghizzawi’s account of the torture he had experienced. The withheld pages primarily outlined what happened to al-Ghizzawi in American hands before arriving at Guantánamo. (In the spring of this year my other client, Razak Ali gave me a similar blow-by-blow, complete with flight information and none of those notes were classified.)

It would be a month before I received my notes back from the government *sans* two pages that were declared classified. Even before I reviewed my notes I knew that some of the information marked classified in al-Ghizzawi’s letter would not be marked classified in my notes. But it wasn’t until a trip to the secret place near Washington, D.C. on Nov. 1 to review my two pages of notes, line-by-line, that I confirmed this.

If you like games, you would love being an attorney fighting this government. After checking in at the secret place and having my secret drawer opened by the nice

I was astonished that the government classified al-Ghizzawi’s account of the torture he had experienced. If you like games, you would love being an attorney fighting this government.

young man, I looked for an open office. The dingy government facility is quite large (and empty) with several open work stations and a few private offices. It is always eerily quiet, whether occupied by many attorneys (as on that day) or just me. It is as if everyone is afraid to speak above a whisper, despite the fact (or perhaps because of the fact) that the courts have designated this as a spot where Guantánamo attorneys can openly discuss “the secrets.” I settled into one of the private spaces and loaded my government issued disk drive into a “secure computer.” I typed each sentences on a separate sheet of paper to determine exactly which facts the government was trying to keep out of the public eye. As I sat there typing these sentences one by one, I tried to guess which were hush-hush.

Was it: “They beat him if he made any sound or if he complained about how much it hurt.”

Or perhaps: “Had several body cavity searches with crowds around him laughing.”

Or maybe: “They took pictures of him naked. Men and women were watching him and laughing.”

I was certain this would be classified: “They were brought out to the runway naked. ... While they were standing on the runway they were made to sit like a dog on all fours—pictures were taken—they were made to pose with their heads all held a certain way with the goggles on.”

I was wrong. None of the above sentences were classified. On Nov. 5, I received 14 of the 20 pages back marked unclassified. Predictably, the six sentences the government continued to withhold had been declassified in al-Ghizzawi’s letter to me or in notes from earlier visits.

There is nothing to be gained by trying to figure out why the government seemingly random censors information that has nothing to do with “national security.” Ironically, information it was attempting to censor was less incriminating than the above sentences that it let pass.

In my mind’s eye I pictured Yossarian, the main character in Joseph Heller’s 1961 novel *Catch-22*, who, while hospitalized, was required by the military to read and censor enlisted men’s letters home. Yossarian quickly bored of the job and began randomly blacking out words, starting with adverbs and adjectives, and then moving on to the entire letter, just leaving the signature.

Whether it is due to boredom, or something more sinister, the full story of al-Ghizzawi’s torture is now unclassified. ■

BY LAURA S. WASHINGTON

McGovern Still on the Antiwar Path



THE OLD ANTIWAR horse is still kicking.

In 1972, South Dakota Sen. George McGovern (once a World War II bomber pilot) won the Democratic presidential nomination on an antiwar platform. In 2007, he's still got game.

In March 2007, McGovern called on Vice President Dick Cheney to resign. A month later, opining in the *Los Angeles Times*, he revisited the trauma of the

Vietnam War era and excoriated George W. Bush and Cheney for blithely sacrificing American lives once again. "We, of course, already know that when Cheney endorses a war, he exempts himself from participation," he wrote.

"On second thought, maybe it's wise to keep Cheney off the battlefield — he might end up shooting his comrades rather than the enemy."

For more than a year, the retired senator and former ambassador to the United Nations has been stumping for a book he co-wrote with foreign policy analyst William R. Polk called *Out of Iraq: A Practical Plan for Withdrawal Now*. He has buttonholed dozens of members of Congress, urging our immediate withdrawal from Iraq.

McGovern lost the presidential election in 1972 because of his conviction that the Vietnam War was wrong. To this day, conservatives blast him for being a liberal anti-American. He's still not backing down.

"I'm very proud of the things that I stood for in '72 and I make no apologies for anything," McGovern told me in a Nov. 28 phone interview. "I said what I thought was right. And I am proud of what we stood for in that campaign. We didn't win, but lots of people in history have proposed ideas that were good for the society of their time but weren't accepted until years later."

McGovern, 85, was in Chicago in late November to accept an award from the Sargent Shriver National Center on Poverty Law for his efforts to fight hunger, a cherished cause since he led John F. Kennedy's Food for Peace Program in the '60s.

McGovern bemoaned America's feeble memory. He recalled often comforting his young daughters. "And I said, 'Look, maybe something good will come from this Vietnam tragedy. It's such an obvious blunder, we'll never go down that road again. So maybe it will save us from repeating this on an even more costly scale.' And of course,

now I don't know what to tell my daughters."

Why, I asked him, don't Americans learn from their history? "One disturbing thing is that they don't study it. It's not even pressed in the schools as a high priority, as it used to be. ... People are more interested in learning how to do e-mail, do a computer or whatever, than studying the history of humanity," McGovern said.

How does his hatred of needless war square with his recent endorsement of Sen. Hillary Clinton (D-N.Y.), who voted to send us to Iraq?

"Obviously, I wish she hadn't voted for that war resolution," he replied, then added, "I have no doubt that if she is elected, she won't lose any time ending that war."

While he would be "perfectly happy" with any of the Democratic frontrunners, "2008 is Hillary's year," he said.

"She's highly intelligent, she's got the grit to stand firm ... she knows the heads of state, people all around the world ... she was in on all the decisions."

No doubt it helps that they go way back. Thirty-five years ago, two fresh-faced political

activists named Bill and Hillary Clinton helped coordinate McGovern's Texas operation.

"I don't forget that. I've got a long memory," he recalled. "To try to sell George McGovern in Texas in 1972—that was a tall order. And they went down there and did it cheerfully and did a good job."

Did he spot their talent then? He laughed. "What I remember was, keep in mind, this was '72, Bill had a hairdo that made him look pretty much like a buffalo. A huge mass of hair. I was always kind of jealous of him because mine was pretty thin even then."

Ironically, Bill and Hill later eschewed McGovern's liberal politics and won the White House from the center.

While McGovern is backing Clinton, he eagerly lays on the superlatives for Sen. Barack Obama (D-Ill.). "Brilliant." "Promising." "Another Lincoln."

The Democratic Party's elder statesman showed his age a bit when he ventured into Sen. Joe Biden (D-Del.) territory. "He's got a mastery of English diction, he's grounded morally." Clean and articulate, too?

Still, you gotta love an octogenarian who can still give it as good as he gets. As he wrote in the *Los Angeles Times*, "Instead of listening to the foolishness of the neoconservative ideologues, the Cheney-Bush team might better heed the words of a real conservative, Edmund Burke: 'A conscientious man would be cautious how he dealt in blood.'" ■

'When Cheney endorses a war, he exempts himself from participation. But maybe it's wise—he might end up shooting his comrades.'

HANGING HATE

Backlash against the Jena Six case sparks an epidemic of public nooses

BY DAVID A. LOVE

THE NOOSE, THAT SYMBOL of American racism associated with the Jim Crow South, is making a comeback.

Following the notorious Jena, La., incident, a rash of noose-related hate crimes has surfaced around the country, at times in the unlikeliest of places. These cases are not aberrations, but part of an endemic problem.

On Oct. 9, 2007, in New York City, a noose was found hanging from the office door of a black professor at Columbia University Teachers College. On Oct. 10, an NYPD officer found a noose hanging over his locker. On Oct. 11, a noose was found hanging from a light pole in front of a post office near Ground Zero. On Oct. 22, a noose was sent to a high school principal, a black woman, in Brooklyn.

For African Americans, the noose symbolizes racial intimidation, violence and death—and with good reason. “The noose is among the most repugnant of all racist symbols because it is itself an instrument of violence,” noted Judge Robert L. Carter, a black federal district judge, in *Williams v. New York City Housing Authority*. In this 2001 employment discrimination case, African-American public employees were subjected to a hostile work environment, including the hanging of a noose.

Lynching has been America’s own form of domestic terrorism, columnist George Curry wrote recently in the *Philadelphia Inquirer*: “Far from being merely a prank, the hanging of nooses harks back to a shameful period in American history. It was not until 1952 that the United States went a whole year without a single lynching.”

Mark Potok, a staff director at the Southern Poverty Law Center, which tracks hate crimes and hate groups, thinks the current noose hangings are a reaction to Jena. “What the nooses represent is a wider and deeper backlash by whites than people recognize,” he says. “White people think the events in Jena were whitewashed

by an evil and politically correct press.”

To track these hate crimes, *DiversityInc* magazine has initiated “Noose Watch,” which catalogues incidents of what it calls a “dangerous racist trend.” As of Dec. 5, it had collected information on 61 incidents that have occurred since the beginning of 2006. (The *New York Times* reports that 50 to 60 noose incidents have occurred since the large Sept. 20, 2007 rally in Jena) Most recently:

- On Nov. 20, a city employee in Slidell, La., was fired for allegedly hanging a noose at a job site a few days prior.
- On Nov. 13, a college student in Orangeburg, S.C., was arrested for hanging a noose in a classroom.
- On Nov. 8, in Beekman, La., high school students discovered a raccoon hanging from a noose on their school’s flagpole.
- On Oct. 30, a black mannequin with a noose tied around its neck was found

in a county landfill building in Sacramento, Calif.

- On Oct. 24, a noose was placed around the neck of a bronze statue of Tupac Shakur in Atlanta.
- On Oct. 15, a housekeeper at Allegheny General Hospital in Pittsburgh, Pa., found a noose hanging in a 10th floor hospital room.
- On Oct. 4, a black Verizon employee in Cranberry, Pa., found a doll with a noose tied around its neck, along with a note saying that she did not deserve her promotion.
- On Oct. 1, at a construction site in Philadelphia, Pa., a white construction worker held a noose in front of a black co-worker and allegedly said he “wanted to hang someone.”
- In October 2007, a noose was found hanging from the exit of a Home Depot store under construction in South Elgin, Ill., along with racist graffiti.
- On Sept. 28, a noose was found in the men’s bathroom of the Hempstead,



Protesters rally at Columbia University in New York on Oct. 10—a day after black professor Madonna Constantine discovered a hangman’s noose on her office door.

MARIO TAMA/GETTY IMAGES

Long Island, police department.

- On Sept. 20, two men were arrested in Alexandria, La., for having nooses in the back of their pickup truck, only hours after an anti-racism march in nearby Jena.

According to the Southern Poverty Law Center, the number of hate groups in the United States shot up from 602 to 844 between 2000 and 2006—an increase of 40 percent. The group also found that, based on 2005 Department of Justice data, about 191,000 hate-crime incidents are reported each year. The U.S. Equal Employment Opportunity Commission is handling an increasing number of noose cases alone: 24 since 2001. The number of reported workplace racial harassment cases increased from 3,075 in 1991 to 6,000 in 2006.

“The display of nooses does occur anywhere,” says Lewis Steel, a civil rights attorney at Outten & Golden in New York City. “African Americans who are exposed to this are infuriated by it. It rubs a nerve, whereas with white people it is just not in their experience.”

Steel is representing black and Latino employees in a lawsuit against the New York City Parks Department for racial discrimination and practices—including multiple displays of nooses on city property. He says that combating these incidents in the employment context depends to a large extent on the leadership of the employer.

“Certainly when we originally started the Parks Department case, [former New York City Parks Commissioner Henry] Stern viewed the display of nooses as silly,” Steel says. “He did not send a memo around, and no action was really taken against those who displayed them.”

Similarly, Reed Walters, the district attorney of LaSalle Parish, La., who prosecuted the Jena Six black teens for a schoolyard brawl with a white classmate, reacted to the hanging of the nooses at Jena High School by telling black students they were making too much of the “prank.”

Many black Americans think government officials are treating these noose incidents too lightly.

On Nov. 3, hundreds of people marched in Charleston, W.V., in support of Megan Williams, a 20-year-old black woman whom authorities say was kidnapped, tortured, beaten and raped by six white men and women in a trailer over the course of a week. Williams’ captors also allegedly forced her to eat rat, dog and human fe-

ces, and placed a noose around her neck. The six suspects, who were arrested and charged with kidnapping, sexual assault, malicious wounding and battery, have not been charged with hate crimes.

“They just kept saying, ‘This is what we do to niggers down here,’” Williams told the Associated Press.

On Nov. 16, thousands of community activists, led by the Rev. Al Sharpton, marched at the U.S. Department of Justice demanding that the federal government more vigorously prosecute crimes of racial violence.

“When you hang up a noose, it’s no joke to us,” said Sharpton at the march. “Every noose that’s hung should be prosecuted by the law. And we’re going to demand that today.” According to Sharpton, the federal government has relinquished its responsibility to protect civil rights by relying on states to address hate crimes, something he characterized as a “revival of states’ rights.”

In response to the march, Attorney General Michael Mukasey issued this statement: “In recent months, there have been reports of nooses and other symbols of racial and religious hate appearing in schools, workplaces and neighborhoods across the country. These symbols of hate have no place in our great country. ... Although there are limitations and challenges in bringing successful hate crimes prosecutions, the department takes each case seriously and is prepared to vindicate the rights of the victims when prosecution is warranted by the facts and by federal law.”

Sen. Hillary Clinton (D-NY) has said that “for too long, the Department of Justice failed to confront the serious questions of injustice, inequality and intolerance raised by the troubling events in Jena.” She advocates restoring professionalism to the Civil Rights Division of the Department of Justice, and calls for strengthening the hate crimes laws and voting laws.

In a letter to Mukasey, presidential candidate Sen. Barack Obama (D-Ill.) wrote, “Unfortunately, this administration—and your predecessors as attorney general—have a poor track record in the area of investigating discrimination against racial minorities, while inexplicably focusing resources on a few, exceptional cases involving white victims.”

Meanwhile, Steel, who has used the legal system to wage the fight against noose-related hate crimes, thinks that community organizing is needed to get the attention of people in power and bring about change.

“There is a real connection between community organizing and leadership. This kind of conduct ... is really despicable, so you hope the community should protest against this type of thing. It is hateful and it is stomach turning. You want to see communities organizing so this type of thing doesn’t happen again.”

But why are these racially motivated crimes on the rise at this point in time? Potok suggests that the recent noose incidents reflect not a fringe phenomenon, but a major social problem. “We’re looking at an upsurge in racial nationalism,” says Potok. “What’s going on is a serious backlash against globalization. You have a certain level of economic rage that provides fertile ground for these groups.” He says that with more people of color immigrating to the country, “whites are angry and uneasy.”

According to Potok, these whites who are scapegoating think, “Our country is being stolen from us. The country my white Christian forefathers built is being taken away.” But on Democracy Now!, Malik Shabazz, a member of Black Lawyers for Justice, said: “The hanging of nooses is a sign that there [could] be real bodies under those nooses very soon.” ■

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LIGHTS!
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The Writers Guild of America strikes to secure a piece of the pie in the Digital Age

BY DAVID MOBERG

STARTING ON NOV. 5, 2007, America's television and movie writers left their solitary desks for the collective sidewalks of Los Angeles and New York, carrying placards ranging from the prosaic ("Writers Guild of America: On Strike") to the quirky ("They Wrong: We Write").

Actors, like Alec Baldwin, joined the pickets demanding a fair contract from entertainment producers for the Internet era. Or, like Susan Sarandon, they acted without intelligible dialogue in writer-produced "Speechless" Internet videos designed to underscore the importance of writers. Some entertainers provided food: doughnuts courtesy of Jay Leno, free meals at a restaurant near picket lines paid by comedian—and libertarian—Drew Carey.

Fans—like a "Battlestar Galactica" delegation—were also there, joining strikers in body and spirit. Polls from Pepperdine University, Survey USA and *Variety* showed that overwhelming majorities (roughly two-thirds of the general public and the entertainment industry) back the strikers. These same polls showed single-digit support for the industry, reflecting the convincing case Guild writers made: They wanted only a modest share of the bounty from new technologies.

With its celebrity patina, highly literate and occasionally well-paid strikers, high-tech controversies, and mobilization of support via the Internet, the strike by 10,500 members of the Writers Guild of America (both East and West) is unusual—and not only because strikes themselves are rare these days. But for all its distinctiveness, the strike revolves around issues familiar to most American workers: Management's use of new technology to disempower and underpay workers; executives' avoidance of unions through legal finagling; corporations' increasing concentration of power; a "winner-take-all" system of compensation that is grossly unequal; and corporate strategies that try to divide workers on minor issues to win on the bigger ones.

Members of the Teamsters, Service Employees International Union (SEIU) and California Nurses Association, march in solidarity with striking Hollywood writers on the Hollywood Walk of Fame on Nov. 20, 2007. The dispute over future revenue from shows distributed over the Internet and other new media began on Nov. 5.

Ultimately, the Writers Guild struck for two reasons: Will it represent all writers in the film and television entertainment industry? And will those writers be fairly paid for all of their work?

The money writers seek includes residual payments for re-use or sale of material, regardless of the technology for distributing and viewing it—cable and broadcast

were new, untested technologies. Despite promises to do so, the producers never raised the residual rate—about a nickel on a \$20 DVD—thus depriving writers of approximately \$1.5 billion, according to the Writers Guild.

Now, both writers and the film industry face the rapidly expanding influence of the Internet, which has already roiled the music

just promotional. They pay minimal DVD residuals for some downloads, and they often pay nothing for short work written expressly for the Web. The Guild wants the same 2.5 percent of distributors' gross revenues as residuals on new media as it has had on traditional media.

Despite the Internet turmoil, Guild research shows growth in gross revenues in

The companies pay no residuals on Internet programming, minimal DVD residuals for some downloads and often nothing at all for short work written expressly for the Web.

TV, film, DVD, Internet, cell phone, game player, personal digital assistant or whatever next big thing develops.

"The Writers Guild strike is not all that complicated," says Cornell University's Jeff Grabelsky, who has worked with the entertainment unions. "We wrote it. Are we going to make money off it?"

Dude, where's my residual?

The Writers Guild, which organized as a real union in the '30s, has gone through similar conflicts with each change of technology—television, cable TV, videocassettes and DVDs. In 1960, the Guild struck for 151 days to win residual payments for films run on television and to establish a pension fund.

But in 1985, the studios outfoxed the Guild, whose two-week strike collapsed from its own internal divisions, and won much reduced residual payment for videocassettes and cable, arguing that they

and news businesses. Increasingly, Internet users expect to find every kind of content they want for free, raising questions about how the creators of that content get paid. Users also want to provide their own material and to interact more with others on the web, not just watch a spectacle.

The entertainment industry has responded by selling programs through Apple's iTunes, posting TV shows on its own and other websites (with inescapable ads), and producing "Webisodes"—new, usually short material that appears exclusively on the Internet. But the Alliance of Motion Picture and Television Producers (AMPTP), the industry consortium that negotiates with entertainment unions, argues that it's unclear how companies will make money from the Internet. (It seems advertising, perhaps coupled with subscription fees, offers the most promise.)

The companies pay no residuals on Internet programming that they claim is

all business segments of the major entertainment companies, healthy profits and rising share prices.

As a Guild video clip of top executives' comments illustrates, the industry expects "golden opportunities" from the Internet. ABC already makes about \$1.5 billion out of its \$35 billion annual revenue from digital content, according to Robert Iger, president of Walt Disney Company, which owns ABC. Viacom Chairman Sumner Redstone says that his company "will double its revenues this year from digital." And CBS President Leslie Moonves says, "We will get paid for [content] regardless. ...We're gonna get paid no matter where you get it from."

And the writers expect to get paid no matter how the companies decide to distribute their work. "We are agnostic about [what the new business model might be]," says Guild Assistant Executive Director Jeff Hermanson. "It doesn't matter



what it is, if there's a percent of revenue formula for residuals." Such an arrangement would give producers the flexibility they claim to need.

Just before the strike, the Guild dropped its demands to double DVD residuals (now around one-third of a cent for each dollar of revenue), calculating that DVD sales will likely decline as downloading grows.

But when negotiations resumed after Thanksgiving, the industry still took a hard line. The studios offered only \$250 a year for streaming an hour-long television program on the Internet (and nothing for theatrical films or any programming they consider promotional). Yet the *Financial Times* reports that TV networks are likely to make \$120 million through the web streaming of programs for 2007.

With the likelihood that much—if not all—of the film and television industry production will be distributed over the Internet in years to come, the Guild sees establishing writers' claims on new media as central to their future, both as writers and as a union.

"In about five years, everything will be streamed digitally into a computer with no production costs," says striker Collin Friesen, who has written for both film and

television. "The Writers Guild said, 'Really, we're not going to get screwed again. We may be writers and not that smart at business, but we can figure that out.'"

But the issue is not just pay and residuals on the Internet. There's also the question of who will be in the union.

Divided and conquered

Twenty years ago, the Writers Guild of America represented 95 percent of film and TV writers. Now it represents about 55 percent. The industry expanded non-union operations with cable TV, then reality television, talent shows and animation series.

The Guild has organized much of the high-budget cable writers, as well as some writing for animation (like "The Simpsons") and, just last year, most of Comedy Central programming. However, writers for much of cable TV have no contractual protection.

In supposedly improvised reality shows, writers also play a central role. "The host's copy is always written in very traditional ways," Hermanson says. "Jokes are written for the judges on competition shows. Even so-called reality elements are designed ahead of time and edited after the fact by

someone who is a storyteller."

Writers are almost unanimous in wanting to be covered by Guild contracts, Hermanson says, and a survey prepared for the Guild gives an idea of why: 91 percent of the roughly 1,000 writers for reality TV said they received no overtime pay, even though they worked on average 16 overtime hours per week. Contrary to producers' claims, the California Labor Commissioner recently ruled that a reality show writer was entitled to overtime pay. That could make employers liable for nearly \$100 million in unpaid wages.

But corporate opposition and jurisdictional disputes with another entertainment union have stymied organizing of writers in reality and animation shows.

The 100,000-member International Alliance of Theatrical Stage Employees (IATSE) represents entertainment industry technical employees, and has long represented both editors and animators.

On reality TV shows, editors work alongside story producers to develop the stories. Hermanson says the Guild offered to organize the jobs jointly with IATSE, but IATSE expressed no interest. In fact, IATSE undermined a strike by story producers at "America's Next Top Model"

Hollywood's Road of Broken Dreams

Hollywood is notoriously a city of dreams, compelling even if they are mainly manufactured and often broken. In 1998, Linda Burstyn's own Hollywood dreams led her to give up a successful career as an Emmy award-winning television journalist and a communications consultant to politicians like Bill Clinton to become a struggling, ill-paid writer for the film and television industry.

The first struggle was to break into the business. And just as that seemed to be happening in early 2007, the next struggle was her union's strike to protect that dream. As one of 300 Writers Guild of America West strike captains, Burstyn keeps a group of a dozen other writers informed and involved, while providing feedback to the union's leaders.

"The studios and corporations make billions of dollars off of content we create," she said during a break from picketing. "Writers and producers entirely



create these shows, and the studios have never made more money. But they're trying to screw us by rolling back all the gains we've made since the '60s on re-

Burstyn gave up a successful career to become a struggling writer for the film and television industry.

sidual payments [for re-use of programs]. Most important, they're trying to bust the union and eliminate the writers' minimum pay. We have no choice but to strike, and strike as long as it takes."

In the late '90s, a friend suggested that Burstyn try writing a sample television script, so she wrote a pilot for "Seinfeld" and sent it to friends, who then sent it to agents. She recalls: "I got a meeting, then an agent. I said, 'This is what I really want to do with my life,' and I moved out to Los Angeles at the end of 1998. I got married, changed agents, got pregnant, then hired on 'The Education of Max Bickford'

who wanted to join the Guild. After they struck, IATSE intervened and claimed to represent both writers and editors. Since the Guild figured that the company would support IATSE's claim before the National Labor Relations Board, the Guild dropped its recognition petition.

animators for TV and short cartoons, in the film business, most writers for animated features are Guild members but not covered by the contract (and thus get no residuals from hits like *Shrek*).

Now, the Guild is demanding that employers recognize reality shows' story pro-

egy and its decision to strike, which has led studios to lay off some IATSE members.

The squabbling complicates a key Guild strategy to use the strike to strengthen its organizing. "At the heart of this struggle [with the producers] is the question of jurisdiction," Hermanson says, "whether we

'At the heart of this struggle is the question of whether the WGA will have jurisdiction over writing for new media, re-use on new media and other areas of non-union television.'

"The IATSE conflict is more serious than a minor irritant," Hermanson says. "We would have won 'Top Model' if there had been no conflict, and if we had their cooperation, organizing in reality TV would be fairly easy."

The two unions also clash about representing workers in animated films. Nearly a decade ago, the Guild won recognition for Fox Network animation writers, who saw their work as more like writing for television series than for traditional cartoons. While IATSE represents many

ducers as under its jurisdiction. IATSE would still organize editors. And the Guild wants employers to acknowledge contractually that they will be able to represent any animation writers not under other contracts, such as those with IATSE. The Guild also wants the studios to remain neutral during organizing and recognize the union when a majority of workers sign membership cards.

The conflict stemming from jurisdictional disputes has only intensified after IATSE criticized the Guild's bargaining strat-

as the Writers Guild will have jurisdiction over writing for new media, re-use on new media and other areas of non-union television. The industry employers have used every technological innovation and new genre to exclude us, and we're not going to be excluded going forward."

The bigger they are...

The Guild's attempts to organize writers and protect their income streams also clash with the growing concentration of power in the hands of the Big Six media giants: Gen-

with Richard Dreyfuss when I was five months pregnant."

The baby was fine, but the show ended after a year. She wrote a movie for CBS, which paid her but never produced it. Then, during "a few dry years," she did political films for the Clintons and other non-entertainment-related work.

"Breaking into this business is really, really hard," she says. "I worked for 'Nightline,' the cream of the business, at politics at high levels, did freelance writing for *The Atlantic Monthly*, but it's nothing like TV." Burstyn estimates that there are only a few hundred jobs writing for prime-time shows. Then last January she was hired to write a new USA network show called "In Plain Sight," and in May to write for CBS's "NCIS." "It's been great this year until this strike," she says.

For the previous eight years, Burstyn figures that she averaged about \$15,000 a year, writing scripts she was trying to sell six to seven hours a day, every day. (She mainly writes in a quiet room that the Writers Guild provides for its mem-

bers.) She's not unusual: WGA members' median earnings are \$62,000 a year; 43 percent are out of work in any year; and one-fourth of those working earn less than \$38,000 a year. Many rely on the residual checks to tide them through tough times, but Burstyn does not receive any residuals yet. Still she fights for that possibility, against what she sees as shortsighted corporate greed.

The media giants "make money hand over fist, and it's never enough," she says. "But they're killing the goose that laid the golden egg in this situation. We are their golden goose, and they're holding guns to our heads." She says CEO short-term thinking is to blame. "[With their proposals], they're not going to get the same writers. They'll ruin the industry. Why screw with something working so well to squeeze a few more bucks out?"

The crucial battlefield is over payments for work distributed over the Internet. "I look at the big picture of what's right and wrong," she says. "The CEOs of

the Alliance of Motion Picture and Television Producers have proposed no Writers Guild jurisdiction over programs written for Internet distribution. The problem is—and writers often don't realize it—you at home have a little cable box attached to your TV set. Industry experts predict that over the next two to five years, that box will be replaced by an Internet-based box in most homes. Instead of clicking on ABC, you'll click on ABC.com and have a whole list of shows in any order. They are proposing that the Writers Guild has no jurisdiction over any of that.

"That means no more Writers Guild, no more pension, no more healthcare, no more residuals," she continues. "We'll be paid, like everyone, as little as possible. It's a story of America right now. It's not a story the writers have written, but a story we're characters in. We have a chance, though, to write the ending of that story."

But this story isn't for reality TV. It's just plain old reality.

—David Moberg



eral Electric (NBC), Time Warner, Walt Disney (ABC), News Corporation (Fox), CBS and Viacom. Most have diversified holdings in network, cable TV, film, publishing, Internet operations and more. That gives them the financial strength to withstand even effective strikes in one profit center. It also means that they are positioned to profit from any technology and potential business strategy.

Beyond the threat from unauthorized film file-sharing, the Internet poses two possible challenges to their dominance. First, immensely wealthy Silicon Valley companies, like Google, could decide to move beyond making billions by connecting content, advertising and viewers to providing their own content, though this is unlikely in the near future.

Second, the theoretical possibility exists for what Institute for the Future Director Paul Saffo calls "the Cambrian explosion of cyberspace"—a radical transformation of media by diffuse innovation from below—especially if the United States ever makes much higher-speed Internet access widely available. If that occurred, creative writers, actors and directors now fighting the Big Six could have more options to work independently or cooperatively, or their talents could become even more valuable to any media company trying to distinguish itself from amateurs.

Federal deregulation over the past two decades not only encouraged today's media concentration, it also wiped out much of independent film and television production, creating, in the words of longtime independent producer and Guild member Leonard Hill, "a unified monolith that is disabling and crushing labor." Hill argues, "This new management team includes corporate raiders who feel no allegiance to the creative process. At the end of the day, the studios wanted this strike."

Despite their consolidated power, the Big Six own different portfolios of

media enterprises and thus have different stakes in the entertainment future, leading some observers to argue that it is hard for the industry to agree on strategy—except to take as much away from workers as possible.

The concentration of power is matched by a concentration of income. The entertainment industry is a prime example of what economist Robert H. Frank calls the winner-take-all phenomenon. A few select movie stars and directors can negotiate gross participation deals that guarantee them a share of all income from their films, making them tens of millions of dollars for each film. But the winners who capture an outsize portion of the revenue also include media executives, like CBS's Moonves with his \$28.6 million paycheck for 2006, or ousted Viacom CEO Tom Freston, who departed with a \$60 million severance package.

Producers had initially proposed rolling back residual payments, making writers more like straightforward wage workers. Since the birth of the talkies, producers have looked down on writers, and fought both unions and residual payments. Legendary film mogul Lew Wasserman reputedly dismissed residuals with the comment, "I don't pay my plumber every time I flush my toilet." But, as writers note, his toilet didn't generate a flood of money each time he flushed.

The strike must go on

Writers insist that their creativity is the basis of the industry's wealth, and that they deserve to share it. They argue that residuals help even out the feast-or-famine pattern for film and television writers, nearly half of whom are unemployed at any time. They say that a film is a collective creative product, not just the work of one star director or actor, and certainly not of one corporate tycoon. Therefore, everyone should share in the winnings, including the technical workers whose residuals fund health and pension funds.

Not every entertainment industry worker shares equally or has the same economic stake. Within the Writers Guild, TV show runners—the people who manage day-to-day operations—are both writers and producers, torn by divided loyalties and separated from other writers by million-dollar incomes, yet still generally sympathetic to the strike. Even bigger gaps exist within the Screen Actors Guild (SAG). And

From the top: Comedians Kathy Griffin (left) and Sarah Silverman picket in support of the Guild in front of the Universal Studios Lot Nov. 13, 2007 in Universal City, Calif.; Actors / Writers Robert Ben Garant (left) and Thomas Lennon (right) march outside Fox Studios on Nov. 9, 2007 in Century City, Calif.; Former "Friends" co-stars Lisa Kudrow and Matthew Perry at the Universal Studios Lot Nov. 13, 2007.

the Directors Guild is divided between the directors and the assistant directors, as well as the unit production managers, who often identify more with the producers than with the creative talent.

Overall, there are 14 arts and entertainment unions, which are often at odds with each other as well as internally fractious. The AFL-CIO has be-

son says, "we'd have faced an industry with a stockpile of feature films. Now we caught them without a stockpile," and in the middle of a television season, which started in early fall.

The strike proved surprisingly effective, hitting the industry more widely and quickly than expected, since the studios had not yet built up their inventory. Yet if

joined the Guild's picket lines and attended rallies in support. They also held joint informational discussions among actors, writers and directors on production sets. "One of the reasons there is a lot of solidarity," Allen says, "is because the Writers Guild and SAG have worked for more than a year exchanging information and educating our members."

The strike proved surprisingly effective, hitting the industry more widely and quickly than expected, since the studios had not yet built up their inventory.

gun the arduous task of bringing them together in an Industry Coordinating Council, and some unions have discussed mergers. The American Federation of Television and Radio Artists and SAG recently fell just a few votes short in their long-standing efforts to merge, but now are squabbling about bargaining procedures in anticipation of their June 30 contract expiration.

"The good news is, the [arts and entertainment] industry is growing and there are opportunities for union growth both within companies where there's a union presence, in geographic markets where there's a union presence and in new markets with little penetration," Grabelsky says. "The bad news is, it's hard to get all these unions in the same room to talk about it."

With new, more militant leadership elected after a rebellion during contract negotiations three years ago, the Writers Guild worked hard this past year to educate and organize its members. The striking writer Friesen, previously not much involved in the Guild, has become a regular picketer and volunteer.

"They've gone to pretty significant lengths to let members know what's happening, and they've got strike captains [who contact members]," he says. "I'm never in the dark." The Guild also reached out to other entertainment unions, forming a close relationship with SAG in particular (but also winning support from Teamsters, some of whom refused to cross the Guild picket lines).

Many observers thought that the Writers Guild would likely wait to strike, when it might be joined by SAG. Such an effort could have shut down production more quickly. "If we'd waited," Herman-

son says, "we'd have faced an industry with a stockpile of feature films. Now we caught them without a stockpile," and in the middle of a television season, which started in early fall.

But SAG National Executive Director Doug Allen says that an early deal will not necessarily establish a pattern. "If it's a fair deal, we'll be interested in building on it," he says. "If not, we won't be bound by anything someone else does."

He says thousands of SAG members

The hard preparatory work may not have welded a seamless solidarity among entertainment unions, but it certainly has strengthened the writers in their effort to stay on top of developing technology and effectively organize more writers for a bigger share of what they help to create. Even facing a phalanx of powerful, rich, diversified conglomerates, it looks like they have what it takes to win.

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Corporate Potluck

Dietitians and their company sponsors make strange buffet fellows

BY JACOB WHEELER

FOR THREE DAYS EARLY this fall, the Pennsylvania Convention Center was home to corporate entities such as PepsiCo, Hershey's, Taco Bell, Crisco and McDonald's. They weren't there to count calories but to rub bellies with members of the American Dietetic Association, who had gathered in Philadelphia for the annual Food & Nutrition Conference & Expo.

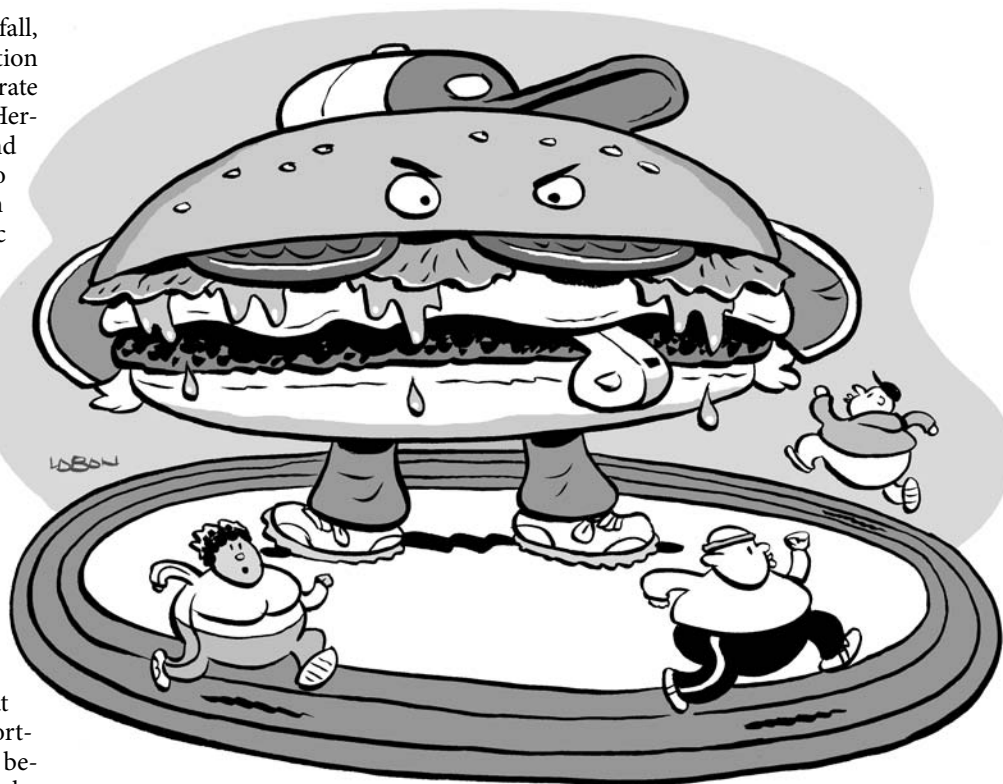
PepsiCo cares about you. The company's "Health and Wellness" website pictures a smiling family in tennis shoes and workout clothes enjoying a brisk walk. All are consuming Pepsi products. Dad is drinking a can of Pepsi. Grandma is toting a bag of Lay's potato chips. Aside from the questionable workout, we're left to wonder: When did Pepsi become an advocate for health?

Marsha Holmberg, a food editor at the *Oregonian* who flew in from Portland, says too many Americans have become culinary illiterates, convinced by television commercials that processed food is nutritious. "Nobody thinks they have the time to cook," Holmberg says. "They think it's complicated. In reality, it takes as much time to make from a mix as it does to make from scratch. It's an illusion that food preparation takes time."

At the convention's bookstore, neat rows of dietitian guidebooks—with covers of colorful fruit and vegetables, alongside the occasional whole grain cereal or wheat stalk—lined the booths. The message was *healthy food*, which professionals agree is the backbone of a sound diet.

Yet not everyone was eating from the same menu.

Registered dietitian Regena Gerth was promoting Taco Bell's new "Fresco Style" line—which substitutes cheese with "fresh Fiesta Salsa." "Patrons will continue to go to fast-food restaurants,"



she says, "so the least we can do is offer healthy options—anything that can be incorporated into a diet." She failed to mention that gut-busting Tex-Mex food filled with meat and beans is still the drive-thru favorite.

At the Unilever stand, the company marketed its Hellmann's mayonnaise, demonstrating how to turn it into a meal in 10 minutes. Nearby, McDonald's fried up public relations (millions served)—trying to recover from the heartburn wrought by *Super Size Me*, the 2004 documentary about the perils of eating at Mickey D's.

Asked if it was ironic that McDonald's was at the Food & Nutrition Conference & Expo, registered dietitian Julia Braun said not at all. "We're not trying to be a health restaurant, but we still want to offer healthy options," she said, admitting

that this was an image campaign.

Frankenfood purveyor Monsanto, was also in attendance, the company's public relations team extolling the virtues of technical engineering on a massive scale. Would it not be safer and more environmentally sound for consumers to rely on local food sources, especially given the E.coli fallout from mass-produced foods such as spinach and beef? (Not to mention the pollution emitted by transporting produce across a continent?)

"The market can't be full of good, affordable foods without technical engineering," said Karen Marshall, Monsanto's senior director of public affairs. "Proponents of small organics overlook that we need big farms, as well. I also wouldn't say that smaller is safer, because large means accountability."

By and large, the Chicago-based American Dietetic Association (ADA) and a majority of its 67,000 members—what the association refers to as “the nation’s food and nutrition experts”—have failed to embrace the local food movement, much less sound the alarm over our culture’s unsustainable reliance on mass-produced food: the pollution caused by trucking corn, fruit and meat across multiple state lines, and shipping it across the world; the environmental destruction wrought by farmers pressured into a monoculture agriculture system; and the inherent health risk of eating a bunch of spinach from an unknown source.

The valuable local food lessons of Michael Pollan’s *The Omnivore’s Dilemma* seem not to have registered at the ADA—or, at least, not enough to have supplanted its need to court corporate sponsors for its annual conference.

One of those sponsors, the pharmaceutical giant GlaxoSmithKline (GSK), recently released Alli, the first over-the-counter diet pill to gain approval from the Food & Drug Administration and promoted at the Food & Nutrition Conference & Expo. GSK launched a “Meet Alli” tour last year in malls nationwide, where dietitians offered consultation and free Alli pills for six months to weight-conscious shoppers.

In its promotional material, the corporation features three different characters: Committed Connie who is white, Committed Carmen who is Latina and Committed Cassandra who is African American. At a media presentation in Philadelphia, a GSK spokesperson was careful to add that, when it comes to the African-American community, Alli’s marketing focuses on “health” rather than “weight.” She explained, they find size “a little more attractive.” Yet, at the same presentation, the GSK spokesperson stressed that Alli only works if a person sticks to a low-calorie, healthy diet.

Why, then, was a diet pill promoted at the ADA’s annual keynote event when the most important factor in maintaining a healthy lifestyle is to eat right (the ADA’s website, after all, is www.eatright.org)? And how did “the nation’s food and nutrition experts” stray from promoting the fruits, vegetables and whole grains featured on the covers of their books? Could it be related to the more than \$10,000 that GSK contributed to ADA as a corporate sponsor within the last year? ADA’s other corporate sponsors include Unilever, National Dairy Coun-

cil, PepsiCo, Kellogg’s, General Mills, Mars Inc. and Abbott Nutrition. According to ADA President Connie Diekman, “the ADA closely evaluates any potential collaboration or partnership to ensure it directly supports ADA’s mission and strategic direction, protects ADA’s name and safeguards the integrity and credibility of ADA and our members.”

Hunger and Environmental Nutrition

‘This is an issue of food safety, when 22 million pounds of beef are recalled as a symptom of a consolidated food industry. One affected animal ruins the whole lot.’

(HEN), a group of dieticians who are concerned about public health within the ADA that has more than 900 members, focuses on nutritious foods and clean water in the context of a secure and sustainable environment. One evening during the conference, HEN held a “Food and Film Festival” in Philadelphia’s historic Reading Terminal Market where it served locally grown, seasonal foods, as well as micro-brewed beer, while showing guests films about food and the struggles today’s farmers face to stay in business.

Helen Costello, the past chair of HEN, said she felt stuck between a rock and a hard place in the debate over local and organic foods. “This is an issue of food safety, when 22 million pounds of beef are recalled as a symptom of a consolidated food industry. One affected animal ruins the whole lot. But it’s complicated because

our culture wants cheap food.

“More ADA members would like more local food,” she said, “but the organization takes a conservative view overall, adopting the mindset that organics can’t feed the world.”

HEN chair and executive director of the Sustainable Farming Association of Minnesota, Mary Jo Forbord said that convincing the ADA to promote local

food systems over corporate agribusiness is more of a marathon than a sprint. Forbord, a fifth-generation Minnesota farmer, said that currently, “There’s no public discourse. Consumers and citizens ought to write the Farm Bill, because we all pay for the system we have in place. It determines what we will eat, how our landscapes will be used, and who will reap the benefits. Agricultural policy needs to line up with food policy, with goal of health in the broad sense—for people, communities and ecosystems.”

For the time being, though, HEN will take baby steps like holding local-food festivals in lieu of launching an all-out, food-throwing mutiny against the ADA. Eventually, HEN hopes, ag-biotech, big pharma and fast-food representatives dressed in dietitians’ clothing will have no place at the table. ■

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The U.S. embassy in Iraq stands unfinished in Baghdad.

Empire's Architecture

Should it ever be finished, the U.S. embassy in Iraq will stand as a colossal monument to the Bush administration's failures

BY ALLEN MCDUFFEE

PANIC SHOT THROUGH THE State Department and White House earlier this summer when the American architecture firm Berger Devine Yae-ger posted computer-generated images and layout of the forthcoming U.S. embassy in Baghdad on its website. Ostensibly concerned with security, government officials urgently acted to remove graphics to avoid aiding potential insurgents in their plots to disrupt the embassy's progress.

The real fear, however, may have been that the disclosure would draw public and congressional attention to everything that's gone wrong with the embassy. Indeed, it's difficult to imagine how insur-

gents could be any more disruptive to the embassy's existence than those who are building it. Allegations of mismanaged funds, shoddy workmanship, kickback schemes, exploitative labor practices, ill-gotten contracts, blocked investigations, trafficked humans and covered-up deaths have plagued the construction of the world's largest embassy.

The planned 104-acre, 21-building compound on the Tigris River will include two office buildings, six apartment buildings, a pool, a gym, a movie theater and a food court. The embassy will be supported by its own power and water treatment plants—probably wise in a country that has, on average, one hour to four hours of electricity daily, and where

70 percent of the population lacks clean drinking water.

The White House originally requested \$1.3 billion to build the compound, but Congress allocated \$592 million for the project in 2005. It was a hefty sum given that the United States didn't pay a cent to Iraq for the four-square-mile stretch of land in Baghdad's Green Zone, roughly the size of Vatican City. By comparison, the United States paid \$22 million for land that was less than one-tenth that size for a planned new embassy in Beirut, which will now no longer be built because of security concerns over its proximity to a Hezbollah stronghold.

Nevertheless, the nearly \$600 million wasn't enough for the embassy in Iraq.

According to documentation provided to Congress by the State Department, an additional \$144 million is needed for completion and the embassy may cost as much as \$1 billion each year to operate.

First Kuwaiti, then the world

Initially scheduled for completion in January 2007, the embassy's opening was delayed until June, then September, and now will occur on a yet-to-be-announced date sometime well into 2008, with no public explanation for the continued postponements. According to Stuart Bowen, the special inspector general for Iraq construction, security is the "No. 1 factor that impedes progress." But on Oct. 5, the Associated Press reported that an anonymous source affiliated with the project said that the main problems were related to the embassy's physical plant, including its electrical system.

Serial delays seem indicative of the pervasive ineptitude of the contractor, First Kuwaiti General Trading and Contracting, which has been embroiled in controversy. First Kuwaiti—which has been in operation a little more than 10 years and is relatively inexperienced working on projects of this magnitude and extensive security specifications—was not the lowest bidder on the contract. To the surprise of its competitors, First Kuwaiti won the contract with a proposal of \$60 million to \$80 million more than the next highest bidders, some with as much as 25 years experience.

The State Department maintains that First Kuwaiti—a major subcontractor for Kellogg, Brown and Root (KBR), the former Halliburton subsidiary accused of overcharging the U.S. government in Iraq—was selected through a competitive bidding process. But the Department of Justice and Congress are investigating allegations and reviewing documentation that implicates First Kuwaiti Managing Partner Wadih El Absi has obtained several subcontracts by promising \$200,000 in kickbacks to Halliburton's former subcontracts manager. These allegations raise serious questions about whether First Kuwaiti should have been allowed to continue bidding for contracts. However, this has not stopped El Absi, who is now lobbying Washington for the contract to build the new embassy in Saudi Arabia.

Despite recommendations from the Senate subcommittee on state, foreign operations and related programs to in-

volve Iraqis in the project, 900 non-Iraqi foreign workers—some from the Philippines, Nepal and Bangladesh—are providing the labor on the embassy under First Kuwaiti's supervision for as little as \$300 each month. As reported in February 2006 by David Phinney in CorpWatch, the California-based corporate watchdog organization, these laborers work 12-hour days, often seven days a

Many immigrant workers who are building the U.S. embassy were told they were going to Kuwait or Dubai, only to discover mid-flight or upon arrival that Baghdad was their destination.

week, "performing tasks considered unsuitable for U.S. war fighters."

What's more, Phinney collected multiple accounts that implicate First Kuwaiti in numerous violations of American contractor law, such as trailers packed with 20 or more people, poor quality food, water drawn from the polluted Tigris River when bottled water ran out and inadequate healthcare facilities.

Deceptive hiring practices are also a recurring theme. Many laborers and American observers have said that workers were told they were going to Kuwait or Dubai, only to discover mid-flight or upon arrival that Baghdad was the plane's destination, according to CorpWatch. (It is unclear whether First Kuwaiti or the recruiting firms in the laborers' home countries initiated this bait-and-switch tactic.) Additionally, workers were promised days off, shorter work days, higher pay and better living conditions. Nearly all workers paid recruitment fees to agencies that typically ranged from one month to three months of salary to get the work, and many of them will need to work a year before breaking even, amounting to indentured servitude.

Attorneys Andrew Kline and Michael J. Frank in the Justice Department's civil rights division have begun to investigate allegations of labor trafficking, contacting former First Kuwaiti employees and others involved in the project for interviews and documents.

The 'Cookie' crumbles

Congress has only recently begun to pursue the problems associated with the embassy, but it has been with great rigor.

In an Oct. 4 letter sent to Deputy Secretary of State John Negroponte, Rep. Tom Lantos (D-Calif.), chairman of the House International Relations Committee, demanded an explanation for what was holding up the project. "These delays and deficiencies undermine the security and living standards of the almost 1,000 foreign service officers and other embassy staff that will be housed at the Baghdad

embassy," he wrote. "Why was the committee assured as late as August that the embassy would open on time when these obviously significant defects existed?"

On Sept. 18, Rep. Henry Waxman (D-Calif.), chairman of the Oversight and Government Reform Committee, wrote a 14-page letter to Howard "Cookie" Krongard, inspector general at the State Department, requesting Krongard's cooperation with an investigation into allegations regarding his conduct. Waxman stated in the letter, "Since your testimony at the committee's hearing on July 26, 2007, current and former employees of the Office of Inspector General have contacted my staff with allegations that you interfered with on-going investigations to protect the State Department and the White House from political embarrassment."

Waxman cited many allegations against Krongard. Among them are: refusing to send investigators to Iraq and Afghanistan to examine wasteful management and fraud relating to the \$3.6 billion awarded in State Department contracts (yet still concluding no fraud present); preventing investigators from cooperating with a Justice Department investigation into the U.S. embassy; preventing investigators from cooperating with a Justice Department investigation into allegations that a large private security contractor was smuggling weapons into Iraq; censoring sections of reports on the security of embassies so that vulnerabilities would not be disclosed to Congress; and rejecting audits from State Department financial statements that documented accounting concerns and refus-

Apartment buildings are still under construction in the U.S. embassy complex. Questions have been raised over the safety of the complex, budgeted originally at about \$600 million.



STR/AFP/GETTY IMAGES

ing to publish them until points critical of the department were removed.

Waxman further noted that State employees under Krongard's supervision have described "a dysfunctional office environment in which you routinely berate and belittle personnel, show contempt for the abilities of career governmental professionals, and cause staff to fear coming to work." The result has been an office unable to fulfill its duties because of such high turnover, with some divisions operating with as little as one-third of the necessary staff.

Before Krongard could respond, Waxman wrote another letter 10 days later about "an exceptionally serious matter: reports that your senior staff has threatened officials that you could fire them if they cooperate with the Committee's investigation into your conduct."

On Oct. 9, Waxman also wrote directly to Secretary of State Condoleezza Rice, questioning why the State Department would rely on First Kuwaiti, given its reputation. "The bribery incidents, which occurred well before the contract award, implicate the company's managing partner in an illegal kickback scheme. DCAA's [Defense Contract Audit Agency] audit, which was released just months before the selection of First Kuwaiti, raises red flags about the company's performance and billing practices."

Waxman's letter requested a response from Rice within 10 days. She failed to reply before her appearance in front of the committee on Oct. 25, during which her evasive answers to questions left com-

mittee members visibly disatisfied.

As for Krongard, his problems may have just begun. On Nov. 14, he recused himself from the two biggest probes into the State Department—the Blackwater scandal and the embassy project in Baghdad—after House Democrats confronted him with evidence of conflict of interest, particularly related to his brother's role as an adviser to the private security firm Blackwater. It is also possible he perjured himself on this issue, since he initially insisted his brother had no involvement with Blackwater. Waxman's committee is continuing to assess Krongard's performance. (A hearing scheduled for Dec. 3 had been indefinitely postponed as *In These Times* went to press.)

Washington's praetorian guard

The internal problems of the embassy are as mind-boggling as those plaguing its construction. On Oct. 7, the *Washington Post* reported that embassy construction has been complicated by a dispute between Ambassador to Iraq Ryan Crocker and James L. Golden—the top Washington-based official charged with project oversight. Golden, managing director of the Emergency Projects Coordinating Office, has been barred from Iraq by Crocker for allegedly disobeying embassy orders during an investigation of a worker's death. Specifically, he is suspected of altering or destroying evidence in the case. According to the *Post*'s anonymous source, "When confronted by embassy officials, he alleged-

ly told them he worked for Washington, not the embassy. Crocker then banished him from the country."

Golden, a contract employee, is no stranger to being unwanted by an embassy. Earlier this summer, the U.S. Embassy in Beirut denied him the normally standard "country clearance" when he was attempting to enter the country to work on the new embassy plan in Beirut.

Golden hasn't been Crocker's only personnel problem. On May 1, Crocker requested a diplomatic surge to match the military one. In a cable to Rice, he wrote, "Simply put, we cannot do the nation's most important work if we do not have the department's best people."

The *Washington Post*'s Glenn Kessler reported that Crocker insisted the cable was not intended as criticism of Rice or the embassy's staff. Backpedaling, he said, "I need more people, and that's the thing, not that the people who are here shouldn't be here or couldn't do it." Regardless of the confusing and contradictory statements, and despite 1,000 American and 4,000 non-American employees, Crocker's call is being heeded. So far, political officers have been increased from 15 to 26, and economic officers from nine to 21.

The potential deficiencies of staffing did not occur without warning, however. A March 2005 report by the State Department's Office of Inspector General had warned that the talent pool of Foreign Service officers was becoming "increasingly scarce" and that an "increasing number of eligible Foreign Service officers are also likely to be influenced more by financial rewards and family considerations than by less tangible considerations."

Almost three years later, Crocker is still reiterating those concerns, which came to a head at an Oct. 31 town hall meeting among U.S. diplomats, who were facing the threat of either serving in Baghdad or losing their jobs. One participant, who identified himself as a 36-year foreign service veteran, told the Associated Press that he viewed service in Iraq as "a potential death sentence," and under these conditions, "any other embassy in the world would be closed by now." Within a few weeks and under considerable pressure, enough volunteers stepped forward to fill the Baghdad tour duties for this cycle.

The organizational chart of the embassy provided in early versions of a

Congressional Research Service (CRS) report from 2005 resembled a multinational corporation more than a normal 50-person embassy. Aside from typical—but more populated—State Department offices, other governmental agencies will have offices at the embassy, including the Departments of Defense, Homeland Security, Justice, Treasury, Labor and Transportation. Strangely, given the American interest in oil and security, the Department of Energy and the Secret Service have not requested office space. More recent versions of CRS reports on the embassy have omitted the chart.

The most revealing aspect of the chart, however, was not its size but its power structure. It places the U.S. Commander of the Multinational Force-Iraq as equal in stature to the ambassador. According to the text of the CRS report, the U.S. ambassador to Iraq “has full authority for the American presence in Iraq with two exceptions: One, military and security matters, which are under the authority of Gen. Petraeus, the commander of the Multinational Force-Iraq (MNF-I). And two, staff working for international organizations.

In areas where diplomacy, military and/or security activities overlap, the ambassador and the U.S. commander continue cooperating to provide co-equal authority regarding what’s best for America and its interests in Iraq.”

This new organizational structure codified the post-9/11 concern that the Department of Defense has taken over diplomatic roles formerly held by the State Department. There is little doubt that military will trump diplomacy every time they collide.

In the May 1 memo, Crocker also suggested that the “overly restrictive” security rules that the diplomats must work under are hampering them because they cannot, for example, meet with officials in other cities. He requested authority to operate under less inhibitive military standards.

Ultimately, for Crocker, the question is “whether we are a department and a service at War. If we are, we need to organize and prioritize in a way that reflects this, something we have not done thus far.”

Empire’s cornerstone

The grandiose embassy, with all its problems, highlights the United States’

ambiguous role in Iraq—its imperial ambitions, as well as the shortcomings to such delusions of grandeur.

Jane C. Loeffler, author of *The Architecture of Diplomacy: Building America’s Embassies*, points out that it is difficult to imagine diplomatic relations with a country given the circumstances. “Diplomacy isn’t the sort of work that can be done by remote control. Instead,

rick J. Leahy (D-Vt.) said to Condoleezza Rice: “Having said over and over again that we don’t want to be seen as an occupying force in Iraq, we’re building the largest embassy that we have. ... And it just seems to grow and grow and grow. Can we just review who we really need and send the rest of the people home?”

Leahy was partially right. The Unit-

The grandiose embassy, with all of its problems, highlights the ambiguous role of the United States in Iraq—its imperial ambitions, as well as the shortcomings to such delusions of grandeur.

it takes direct contact to build good will for the United States and promote democratic values.”

Alongside more than a dozen permanent military bases in Iraq, the U.S. government is building this permanent symbol of empire by imperial design. With only 275 Iraqi parliamentarians and an Iraqi cabinet of less than 40 ministers, American embassy employees outnumber those who ostensibly govern the Iraqi people by more than three to one. This being the case, it’s hard to believe the United States is interested in diplomacy, promoting democracy or even full sovereignty.

During a May 2007 hearing, Sen. Pat-

ed States doesn’t want to be *seen* as an occupying force. But that doesn’t mean occupation isn’t what the United States desires. The International Crisis Group, a Brussels-based non-governmental organization, argues that the Iraqi government is both neighbored and dwarfed by the embassy, which “is seen by Iraqis as an indication of who actually exercises power in their country.” Indeed, Iraqis have nicknamed the compound “George W.’s Palace.”

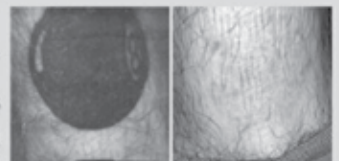
“If architecture reflects the society that creates it,” Loeffler says, “the new U.S. embassy in Baghdad makes a devastating comment about America’s global outlook.” ■

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The Fog of War Crimes

Who's to blame when 'just following orders' means murder?

BY FRIDA BERRIGAN

A MARINE SQUAD WAS ON a dusty road in Iraq, far from home. Suddenly, a deadly roadside bomb explodes the early morning calm and kills a lance corporal and wounds two other Marines. The mission: tend to the wounded and find those who were responsible ... Or make someone pay? Three sleeping families awaken to the sound of grenades and guns.

By the end of the "operation," 24 people were dead, including three women and six children. Bullets, fired at close range, tore through bodies and lodged deep in walls. A one-legged elderly man was shot nine times in the chest and abdomen. A man who watched the violence from his roof across the road told *The Washington Post* that he heard his neighbor speak to the Marines in English, begging for the lives of his wife and children, saying, "I am friend. I am good." All the family was killed except one: 13-year-old Safa. Covered in her mother's blood, she reportedly fainted and appeared dead.

In a road nearby lay the bodies of five men—four college students and their driver.

On Nov. 20, 2005, a Marine spokesman reported: "A U.S. Marine and 15 civilians were killed yesterday from the blast of a roadside bomb in Haditha. Immediately following the bombing, gunmen attacked the convoy with small-arms fire. Iraqi army soldiers and Marines returned fire, killing eight insurgents and wounding another."

The only truth in that statement was that there was a roadside bomb and that a Marine—Lance Cpl. Miguel Terrazas, known as T.J. to the other men in his squad—was killed instantly. The rest was a lie. It took months for the truth to come out, and the search for justice is taking even longer. The 24 Iraqi bodies have since been buried in a cemetery in Haditha, a farming town beside the Euphrates River. But no one—



from the commander on down—has been sentenced to prison, and the effort to hold Marines responsible for this crime has focused on a few men who are low on the chain of command.

Geoffrey Corn, a retired lieutenant colonel and a professor at Southern Texas College of Law, says the laws of war work because "for every case of atrocities that we read about, there are thousands of Marines and soldiers who act with restraint."

The Laws of Armed Conflict and the Geneva Conventions were designed as the basis for military conduct in times of war. Three central principles govern armed conflict: military necessity, distinction (soldiers must engage only valid military targets) and proportionality (the loss of civilian lives and property damage must not outweigh the military advantage sought). Among other things, the Geneva Conventions identify grave breaches of international law as the "willful killing; torture

or inhuman treatment; willful causing of great suffering; and extensive destruction and appropriation of property not justified by military necessity and carried out unlawfully or wantonly." An examination of the military's actions in the aftermath of Haditha reveals a clear unwillingness to apply these principles.

Whose neck is on the line?

"You stop war crimes by coming down on the ranking officer," says Ian Cuthbertson, a military historian and senior fellow at the World Policy Institute.

"All armies in all wars at all times have committed war crimes," he continues. "The question is: Does command authority condone or stop them? You can't just give an 18-year-old an automatic weapon and tell him, 'Don't shoot prisoners in the head.' You need an officer to rein him in. The officer needs to feel as though his own neck is on the line."

In the case of Haditha, Marines have

not put officers' necks on the line. Maj. Gen. Richard Huck, who was in charge of Marines in Haditha in 2005, along with his chief of staff Col. Richard Sokoloski and Col. Stephen Davis, who headed the regimental combat team, all received letters of censure from the secretary of the U.S. Navy. The censure did not strip the men of their rank or salary, but they will be barred from future promotions, which could force them out of the Marines. According to Gary Solis, a military law expert and former Marine, censure is the Marine Corps' most serious administrative sanction.

But, as Cuthbertson points out, the generals are not being censured for letting Haditha happen. They are being punished for not investigating. This is a big difference.

Cuthbertson cites the Allied response to the Malmedy massacre in Belgium as one example of taking war crimes seriously up the chain of command. In 1944, German soldiers killed more than 70 unarmed U.S. prisoners of war. In war crimes trials after Germany was defeated, justice was swift and extended far beyond those who actually pulled triggers. "The commander of the regiment wasn't there. He was found guilty and sentenced to death," says Cuthbertson. "The general of the Army wasn't there. He was found guilty and sentenced to life in prison."

Unraveling the massacre

In January 2006—a month after the Haditha massacre—an Iraqi journalism student gave *Time* magazine a video of the bloody aftermath. Taher Thabet shot footage in the homes and at the morgue, recording the carnage in shaky frames. *Time* passed the footage on to the chief military spokesman in Baghdad, forcing the Marines to launch an investigation. Until the evidence was in their hands (and widely available on the Internet), they appeared ready to accept as truth the flimsy, contradictory account of events cobbled together by the squad leader and his men.

Two months later, the investigation determined that Marines—not insurgents—killed the civilians, and Naval Criminal Investigative Services further concluded that the civilians were deliberately targeted. CNN reported on the investigations on March 16, and *Time* published a long article on March 27. President Bush, however, did not address the Haditha issue until June 1, when he called the allegations "very troubling for me and equally

troubling for our military."

But it took until December 2006 for eight Marines to be charged: four enlisted men with unpremeditated murder, and four officers with dereliction for covering up or failing to report the killings. These indictments helped the Marines create the impression that those responsible for Haditha were rigorously prosecuted. Yet the four charged with murder were not

"You can't just give an 18-year-old a weapon and tell him, 'Don't shoot prisoners in the head.' You need an officer to rein him in. The officer needs to feel as though his own neck is on the line."

the only four who pulled triggers that day. And the four officers charged in the cover up were not the only four who lied.

In handing down the eight indictments, the Marines also granted immunity to at least seven others who either participated in the killings or tried to hide what the squad had done. The military ultimately offered immunity deals to two of those charged with murder in exchange for their damning testimony. Charges against two of the officers were also dismissed after their "Article 32 hearings," a sort of a half trial, half grand-jury proceeding unique to military criminal proceedings.

At this point, criminal responsibility for 24 murders in at least four separate locations is being placed on two Marines: Staff Sgt. Frank Wuterich and Lance Cpl. Stephen Tatum. Of their squad of 13, they are the only two who face general court martial for the killings.

Tatum, from Edmund, Okla., is charged with involuntary manslaughter, aggravated assault and reckless endangerment. His trial date has not been set, but if found guilty of all three, Tatum could face a maximum 19 years in confinement, a dishonorable discharge and forfeiture of pay. During his July 24, 2007 military investigation hearing, the 25-year-old Marine choked back tears, saying, "I am not comfortable with the fact that I might have shot a child. I don't know if my rounds impacted anyone. ... That is a burden I will have to bear."

For his part, Wuterich, the Marine squad leader, was originally indicted with more than a dozen counts of unpremeditated murder, as well as soliciting another to commit an offense and making false of-

ficial statements, which carry a maximum penalty of imprisonment for life. After his Article 32 hearing in August 2007, Investigating Officer Lt. Paul Ware recommended dismissing 10 murder charges and reducing seven others to negligent homicide. There has not been a determination on that recommendation, and a court martial date has not yet been set. Wuterich told CBS's "60 Minutes": "Everyone visualizes me as

a monster—a baby killer, cold-blooded, that sort of thing." On the TV screen, he was handsome, polished and impossibly young looking.

Of the other four charged with the lesser offense of failing to report the incident, or obstructing the investigation—only two remain under indictment. One of them, Lt. Col. Jeffrey Chessani, is the most senior U.S. servicemen to face a court martial for action in combat since Vietnam. He is not being charged for allowing the crimes to happen, but for violating a lawful order and willful dereliction of duty for failing to report and investigate the deaths.

In cold blood?

The cases will hinge not on what happened or why, but how: Was it a rage-induced rampage or a by-the-book operation? The answer to that question depends on which side of the gun you're on.

Rep. John Murtha (D-Pa.), a former Marine who chairs the Subcommittee on Defense in the House Appropriations Committee, told reporters in May 2006 that the investigations would reveal that "our troops overreacted because of the pressure on them, and they killed innocent civilians in cold blood."

But soldiers are not supposed to kill in cold blood. "War is not a license," wrote Telford Taylor, a lead-prosecutor at Nuremberg, in *Vietnam, an American Tragedy*. "It does not countenance the infliction of suffering for its own sake or for revenge."

Thabet, the Iraqi journalism student who filmed the aftermath at Haditha, saw rage, telling *Time*: "They not only killed people, they smashed furniture, tore down



An Iraqi man is blindfolded by a U.S. soldier in the 4th Stryker Brigade, 2nd Infantry out of Ft. Lewis, Wash. during a raid Dec. 3, 2007 in Mukhisa, Iraq.

CHRIS HONDROS/GETTY IMAGES

wall hangings and when they took prisoners, they treated them very roughly. This was not a precise military operation.”

Not so, says Wuterich. “We reacted to how we were supposed to react to our training and I did that to the best of my ability,” he told “60 Minutes.” “The rest of the Marines that were there, they did their job properly as well. We cleared these houses the way they were supposed to be cleared.” Lt. William Kallop ordered Staff Sgt. Frank Wuterich to “clear” one of the homes. He was granted immunity from future prosecution in exchange for his testimony.

Another Marine, Lance Cpl. Humberto Manuel Mendoza, who was not indicted, told investigators that he shot at least two people: “I was following my training that all individuals in a hostile house are to be shot.” Sgt. Sanick Dela Cruz, whose murder charges were dropped in exchange for his testimony against Wuterich, testified that after riddling dead bodies with automatic fire, he urinated on the head of one corpse. “I know it was a bad thing what I done, but I done it because I was angry T.J. was dead.”

‘I was just following orders’

Justifying crimes with assertions that “we reacted to how we were supposed to react to our training” is not new. It echoes *Befehl ist Befehl*—I was just following orders—words Nazi leaders accused of war crimes used to justify their actions. The

Nuremberg Tribunals following World War II found many of them guilty, sentencing them to death or life in prison.

The tribunals placed the conscience of the individual above the will of military superiors. “In the military, there is a culture of compliance, fear, blind obedience, silence,” says Camilo Mejía, 32, who joined the Army when he was 19 and went to prison rather than return to Iraq. Mejía served in the Florida National Guard and went to Iraq as staff sergeant in 2003. “Behavior is suggested and implied. The expectation is that if everyone else is doing it, you should do it.”

At a detention facility in Al Assad, Mejía’s unit was responsible for keeping prisoners awake for long periods of time in preparation for interrogation. In an interview, he described their job as “sleep deprivation with loud sounds, mock executions, treating them as sub-humans.” His unit performed this long enough to “see that this was a systematic problem from the very top,” says Mejía. “They had set the tone and the work. We just followed suit. No one sat us down and said, ‘We want you to commit war crimes.’ But they communicated what we were supposed to do, and that was war crimes.”

In June 2004, Mejía told CBS’s “60 Minutes II” about the 12 or 13 Iraqis he and his men killed in Ramadi, mostly civilians caught in the crossfire. “Whether you want to admit it or not to yourself, this is a human being,” Mejía. “And I saw

this man go down and I saw him being dragged through a pool of his own blood and that shocked me.”

In war, Mejía says, “committing war crimes is what you are expected to do.”

Hamdaniya

The month after the Haditha massacre became news, the Marines found themselves shamed by another atrocity. On April 26, 2006, Marines based in Hamdaniya dragged Hashim Ibrahim Awad, a 52-year-old man and father of 11 children, from his home in the middle of the night, bound his hands and feet and shot him to death. The Marines’ plan was to snatch a suspected insurgent said to be behind a rash of roadside bombings and who had been repeatedly captured but released. When the Marines could not find him, they kidnapped and killed the man’s neighbor instead. Later, they stole an AK-47 and staged the scene so that it appeared that Awad was caught while deploying a roadside bomb.

Seven Marines and a Navy corpsman—who became known as the Camp Pendleton Eight—were charged in the case. During the Article 32 hearings, defense attorneys said the Marines’ superiors told them they were too soft. They had witnessed their superiors beating Iraqi suspects and felt pressured to be more aggressive in an environment where roadside bombs and attacks were constant and assailants melted in and out of the civilian population. Lance Cpl. Robert Pennington testified that the men were “sick of” their rules of engagement and decided “to write our own rules to keep ourselves alive.”

Trent Thomas, a corporal from East St. Louis charged in the case, appeared on “Anderson Cooper 360 Degrees.” When asked if he was ordered to kill Awad: “I really can’t say,” Thomas responded, but later allowed, “I think your leadership plays a huge factor in what you do. That’s all I can say.”

Thomas was demoted to private and received a bad conduct discharge.

Only two of the Camp Pendleton Eight remain in prison. Pennington is expected to serve eight years on a 14-year sentence after a plea agreement, and Sgt. Lawrence Hutchins was sentenced to 15 years. But Gen. James Mattis—the same convening authority who made determinations in the Haditha killings—is reportedly considering reducing both sentences.

Abu Ghraib

The world learned about Abu Ghraib from the photos. Piles of naked bodies. A man leashed like a dog. A hooded figure standing on a box with wires hanging from him. A menacing dog inches from a cringing man's face.

Assertions that the torture was the result of sadistic, bored or under-supervised soldiers have been widely discredited. "There is no way that a handful of low-ranking soldiers could have invented techniques all by themselves that, curiously enough, were used at Guantánamo and at other places in Iraq and Afghanistan," says Stjepan Mestrovic, a sociologist at Texas A&M University.

After months of cover-up, the blame was laid at the feet of several low-ranked soldiers, pictured grinning and giving the thumbs-up. Pvt. Lynndie England and Spc. Charles Graner were tried, convicted and sentenced to three and 10 years, respectively. Seven others have been sentenced for abuse at Abu Ghraib.

Only 54 military personnel—a fraction of the more than 600 U.S. personnel implicated in detainee abuse cases throughout Iraq and elsewhere in the war on terror—have been convicted by court martial. And only 40 have been sentenced to prison time, many for less than a year, according to a 2006 analysis by the Detainee Abuse and Accountability Project. No U.S. military officer has been held accountable for criminal acts committed by subordinates under the doctrine of command responsibility.

International law limps into the breach

Military prosecutors have won convictions against soldiers and Marines in more than 200 cases of violent crimes, including murder, rape and assault against Iraqi civilians, according to a July 27, 2007 *New York Times* analysis. In some cases, these convictions may come with severe sen-

The scales of justice are tipped toward scapegoating the convenient foils. They have committed awful and criminal acts, but their guilt cannot be separated from the war's architects.

tences. Federal prosecutors are said to be seeking the death penalty for former Pvt. Stephen Green, who is accused of raping and murdering a 14-year-old Iraqi girl, as well as slaying her parents and younger sister. He will be tried as a civilian because he was discharged before the crimes came to light. This horrific crime is the subject of Brian de Palma's new movie *Redacted*.

But seeking the death penalty for Green, sentencing Hutchins to 15 years or court-martialing Wuterich for multiple unpremeditated murders is not the same as seeking justice for war crimes. These three should be held responsible, but the scales of justice are tipped toward scapegoating the convenient foils. They have committed awful and criminal acts, but their guilt cannot be easily separated from those who are the architects of the war.

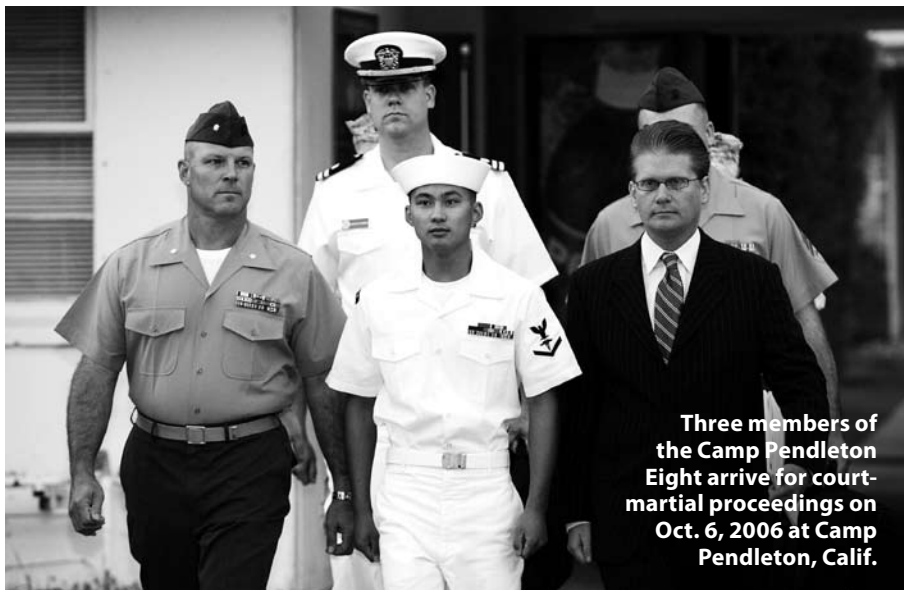
In November 2006, the Center for

Constitutional Rights (CCR), a non-profit legal and educational organization, filed a criminal complaint, asking a German federal prosecutor to open "a criminal prosecution that will look into the responsibility of high-ranking U.S. officials for authorizing war crimes in the context of the so-called war on terror," according to a CCR statement. On

behalf of 12 Iraqi citizens whom the U.S. military detained and tortured at Abu Ghraib, the complaint names former Secretary of Defense Donald Rumsfeld and other high-ranking U.S. officials. The German court dismissed the case in April 2007, ruling that a U.S. court should hear the charges. But CCR—along with other groups—have filed similar charges in Sweden, Argentina and France.

"This is a case of universal jurisdiction," says Belinda Cooper, editor of *War Crimes: The Legacy of Nuremberg* and a professor of human rights and international law at New York University's Center for Global Affairs, "It's brought under the theory that any country can take jurisdiction of particularly heinous crimes, especially if the country that would normally prosecute them is unlikely to do so." She continues: "But can you imagine Bush being tried in the U.S. or Putin in Russia for, say, torture of detainees during their administrations? The new international criminal court is not going to touch a Putin or a Bush."

While these projects inch forward, soldiers are taking matters into their own hands. In March 2008, Iraq Veterans Against the War will convene new Winter Soldier hearings, modeled on the February 1971 meetings in a Detroit Howard Johnson's. In the shadow of the My Lai massacre revelations, the hearings provided a platform to more than 125 Vietnam veterans to describe the atrocities they participated in and witnessed. This effort could once again give the United States a chance to listen to soldiers and Marines as they break the silence, hold themselves and each other accountable and demand the same from the architects of the war. ■



Three members of the Camp Pendleton Eight arrive for court-martial proceedings on Oct. 6, 2006 at Camp Pendleton, Calif.

DAVID McNEW/GETTY IMAGES

BY SANHITA SINHAROV

Resister In Exile

When I met Haifa Zangana in Naperville, Ill., 40 miles southwest of Chicago, the former political prisoner under Saddam Hussein's Baath regime was working on a column but was having computer problems. The interview appeared to be a needed distraction. Zangana, who writes

regularly for the *Guardian*, *al-Quds*, *Red Pepper* and *al-Ahram Weekly*, is also a novelist and feminist. She was in Chicago promoting her new book, *City of Widows: An Iraqi Woman's Account of War and Resistance* (Seven Stories Press, 2007), and visiting her brother-in-law in the suburbs before heading off to more speaking engagements, including one with CODE-PINK in Washington, D.C. on Nov. 25.

It was difficult to imagine that the petite, 57-year-old with smiling eyes once smuggled intelligence and weapons under her *abaya* to help subvert Iraq's powerful political parties.

In 1972, when Zangana was 21, Baath officials arrested her and others for being part of a faction of the Iraqi Communist Party called the Central Leadership. She was held for six months as a terrorist and was tortured. After her release, Zangana eventually fled to London, where she has lived in exile with her husband ever since.

You write that you've been back to Iraq. How often do you go?

Not as often as I would like. I have my immediate family there, and my husband's [family] too. But there have been cases where people are kidnapped immediately upon stepping into the Iraqi airport. Each political party has its own militias. The airport is under the control of one militia. So it's getting more and more difficult, if not impossible.

How's your family doing?

They are carrying on, like my husband's

family who lives in a part of Baghdad that the Americans built a wall around.

This is the justification for it: "We are protecting people from the IEDs [improvised explosive devices] and we don't want them to be randomly killed." But at the same time there are air strikes that kill people randomly, so the justification doesn't make sense except to separate and segregate people into smaller and smaller communities, which will make it easier for the occupiers to control them.

We are talking about Baghdad. There are also cities like Fallujah, Anbar and Samarra in the north, where walls are built to stop the coming and going of the people.

And it is not just the walls. The U.S. military was digging trenches around Al Hilla, the ancient city of Babylon, destroying an archaeological site to fill sandbags.

American archaeologists did fantastic work highlighting this issue. The problem was that once they left, the damage had already been done.

You were imprisoned by the Baath regime when you were 21. Tell me about it.

I was part of a political group that was a faction of the Communist Party. We were a group of young people who didn't want to be working within the party because it was following the agenda of the Soviet Union. We wanted to combine democracy and socialism and social justice. More like the Latin American left movement.

We were fought by both the mainstream Communist Party and the Baath regime. We were a thorn in their side so we were

arrested. Some of us managed to escape, others were arrested. I was one of them.

I was with a group of four people. Three of them were hanged. I was saved because my mother and family were adamant that I was there as a political prisoner. And because we had a relative who was a bodyguard for Saddam Hussein. The irony is that my relative was arrested later in the '90s and died while under house arrest.

After my imprisonment, I spent over a year in Iraq. But my family thought I would be arrested again so my father arranged for a passport and I got out.

Talk about your detention.

The first couple of weeks I was in the detention center called Qasir al-Nihaya. I was kept next to the torture room where you can hear 24 hours of nonstop screams of people tortured. It was horrendous.

You don't know when they'll come for you, so you sit and wait. You sit and think you hear footsteps. You try to decipher the sounds. Who is going to open the door? Why are they opening it? Where are they taking you?

I was beaten up. I was pushed around. I was stripped naked. I had to face the other people who were arrested, but because they were tortured, I couldn't even recognize them except for their voices. They were able to say a few words. They were made into a complete mess.

When you hear allegations or stories of torture, what goes through your mind?

It's very sad. I am also outraged because we fought these practices for many decades and we thought we would end them.

But here we are with troops, with military occupation, with economic occupation and the cultural occupation. They try to erase our memory, our history, our archaeological sites and kill our civilians.

In four and a half years, we have lost 1 million Iraqis. And that's terminated, physically. We're not talking about the consequences of conventional weapons,



Columnist and former political prisoner Haifa Zangana lives in exile in London. She fled Iraq in the '70s after Saddam Hussein's Baath regime arrested and tortured her.

HELA SAIK

the depleted uranium, the phosphorous, the cluster bombs.

As for detentions, the International Red Cross has recorded up to 60,000. And those are security detainees.

You've written that it's dangerous now for women to even go to university.

Tremendously difficult. Because you have to defy almost everything, from the minute you step outside your house until you reach the university, and it is not even safe in the university. The assassination of academics, the targeting of professors, have left universities with a minimum presence of intellectuals.

There is a risk of being kidnapped, which is getting to be a very, very popular business. It depends on how affluent you are. That's why people are fleeing the country. The fear of arbitrary arrest in the street. Of mortars dropping on you, IEDs, air strikes and snipers. Snipers are one of the main dangers because they shoot people as if to paralyze life in the city.

As for jobs, last year, because of the targeting of men, women are going out to deal with every aspect of life, including trying to find jobs.

What kind of work?

I'll give you an example. I know of a woman, she's a widow with children who

works as a taxi driver. Or she stands in queue on your behalf at the petrol station. With the lack of fuel, you have to queue sometimes seven hours to get a few liters of petrol. So you pay her to stand in queue.

There are certain areas where you cannot really go nowadays unless you are wearing a *hijab*. So if you are a woman who refuses to, who believes, "It's a matter of choice and I don't want to be forced wearing a hijab unless I want to," then you send another woman who is wearing, or is willing to wear a hijab, and you pay her.

The title of your book, *City of Widows*, alludes to the fact that many women have lost their husbands.

There are 90 widows made each day. The Ministry of Human Rights in Iraq—it's funny we have one—says that there are 1 million widows in Iraq. In Baghdad alone there are 300,000 widows.

What is the presence of women in the resistance?

Women are supporting the resistance in various ways, and not just the armed resistance. When I ask women there, "What does the word 'resisting' mean to you?" They answer, "Survival. We have to stay alive. We have to protect our families."

There is also political resistance in peaceful, nonviolent ways. There is civil

society and community resistance. Unions are doing a fantastic job. They were the real force behind delaying the signing of the new oil law that gives an open hand to the occupiers. Writing, painting, making documentary films, songs—these are all forms of resistance under occupation.

In the book, you write that peaceful resistance ended three years into the war. Is armed struggle the only option?

Sometimes it seems like armed resistance is the only language that the occupiers understand. After all, the occupiers did not go to Iraq with the Royal Shakespeare Company or the Chicago Symphony Orchestra. Nor did they go there to take Iraqis to the ballet or bring them books. No, they went as a brutal force, bringing shock and awe. Dropping bombs and napalm onto a new generation of people. So where does peaceful resistance take us?

But people are still working with international organizations, with the antiwar movement. In America, we are getting support from veterans' families.

Many on the left in America debate whether an immediate withdrawal or a gradual withdrawal would be better. What do you think?

This gradual withdrawal is actually a gradual building of bases in Iraq. The call should be for immediate withdrawal.

People are concerned that if the Americans leave, Iraqis will kill each other. But that is the white man's burden. Powerful nations believe it is their duty to liberate people and then look after them because they are incapable of doing it themselves.

You saw it in Algeria, in Vietnam and it's now happening in Iraq.

We're approaching five years since the start of the war in Iraq. Do you think the future looks hopeful or bleak?

Both. Bleak because of the reality of what Iraqis are going through. The death, the violence, the suffering and the despair, especially among women.

And hopeful, because we cannot live without hope. We have to be optimistic. Because Iraqis are not accepting what's being enforced on them, there is hope. This is a credit to the Iraqi people.

This kind of resilience gives you hope. And Iraq, after all, is a country with thousands of years of history, and the occupation has been here only for five years. We are bound to put an end to it. ■



A scene from the Brazilian film *Tropa de Elite*.

DAVID PRICHTARD

BY HOLMES WILSON

Bad Cop, Badder Cop in Brazil

Does every Brazilian love a fascist? That's the question raised by the new film *Tropa de Elite*, which is on its way to becoming one of the country's most popular movies of all time. The protagonist in *Tropa de Elite*, or "elite squad," is a

cop who kills for revenge, executes corrupt cops and tortures suspects—including children—for information. And the film's phenomenal success is frightening.

In a country where frustration about street crime and the police's inability to stop it run deep, director and co-writer José Padilha has created a new national superhero: the black-clad, above-the-law übercop. But this may be a case where the creation has turned against its creator.

Padilha opposes torture, is an outspoken progressive and favors decriminalization. In 2002, he directed *Bus 174*, a documentary about a young, impoverished man who took a bus full of passengers hostage in Rio de Janeiro and ended up violently killed by police.

Tropa de Elite, by contrast, follows the story

of Captain Nascimento, a fictional officer in the elite branch of Rio's police known as BOPE (Special Operations Battalion).

BOPE, we're told, exists because the city's drug gangs and police are at war, and conventional police are too corrupt, out-gunned and ill-trained to fight it. Nascimento's team invades gang-controlled *favelas* (shanty towns) in silence. They shoot first and interrogate later. The image of a bloodied face struggling to breathe under a plastic bag becomes mundane in the film's two hours.

Weeks before its official Oct. 12 release, *Tropa de Elite* had already become a blockbuster. A workprint was leaked from a subtitling shop preparing the English version, hitting the Internet and, more significantly, Brazil's vast network of street DVD sellers (*camelos*), who sold it under

the slogan “get it now before the police ban it.” (A group of BOPE officers had asked a judge to block commercialization of the film, on the grounds that it “attacks the corporation [the military police] and violates the honor, dignity and even the physical integrity of police officers.”)

An estimated 11 million Brazilians watched the movie on DVD, and more than 2 million saw it in theaters, according to the polling and ratings organization Ibope. In São Paulo, a survey by the daily *Folha de São Paulo* found that 19 percent of city residents over age 16 had seen the film.

I watched a burned copy at my home in Belem, Brazil one Sunday morning with a politically aware musician and a media activist. They loved it. In fact, they saw its gruesome violence as a searing indictment of the real methods of Brazilian police, and as a necessary articulation of the grim reality of the favelas.

Later that day, however, I serendipitously ended up at a family barbecue, drinking beer and eating grilled meat with several military police officers. When *Tropa de Elite* was mentioned, the eyes of these burly men lit up and suddenly it was like listening to geeks talk about *Star Wars*. Most had seen it more than once, some a ridiculous number of times. One said it was the best movie he had ever seen.

If the filmmakers had purposely set out to weave Rio violence into a fascist propaganda piece, it's impossible to imagine them doing a better job.

In the movie, torture works and threats of brutality are effective (such as when police threaten to rape a teenage boy with a broomstick). A group of privileged student activists are some of the film's least likable figures. Women are portrayed as naïve, and the men are shown as only wanting to get laid or deal drugs. We even see a cop walk into a peace march and punch a pacifist in the face. (The “pacifist” is actually a drug dealer who got a cop killed.) The viewer's personal identification with police protagonists—and against everybody else—is clear and unbroken.

Tropa de Elite was filmed in five favelas, which lends it an unsettling

realism. Like participants in the infamous Stanford Prison Experiment, the actors seem to absorb their roles from their uniforms and surroundings. On the interview program “Roda Viva,” Padilha said that many onlookers assumed they were watching the making of a documentary, and that actual, on-

emotional and political reflex—as common in the United States as it is in Brazil—that police should be strong, criminals should be shot and bleeding hearts should stay out of the way.

Where I live, in Belem, about 1,800 miles from Rio's favelas, songs from *Tropa de Elite*'s soundtrack have en-

The film mirrors the emotional and political reflex—as common in the United States as it is in Brazil—that police should be strong, criminals should be shot, and bleeding hearts should stay out of the way.

duty BOPE officers (who were often nearby) once interrupted the filming of a torture scene to tell actors they were holding the plastic bag wrong. Lines between police mythology and reality blur, and the film asserts itself as incontrovertible.

When asked if a solution exists to the violence, Padilha has been circumspect: “A solution can happen through sustained economic growth, with good distribution of income, through investment in education and improvements in the judicial system,” he said. “It will also happen through better salaries, training and education of police.”

At times Padilha may seem to be bobbing and weaving, but he's no fascist. He says that conditions in Brazil's prisons amount to torture. When defending the film, Padilha has said it holds a mirror up to society.

“After I made *Bus 174*, there was a series of films about urban violence focused on the marginalized, and not one that spoke to the police's point of view,” he said in an interview with Brazilian news site UOL. “In American cinema, there are many focused on the police. So I decided to make a film about this point of view.”

But BOPE's contempt for conventional law is far more distilled than that shown in Hollywood police films, and the torture portrayed here doesn't even enjoy the philosophical ambiguity of the “ticking time-bomb” scenarios routinely offered on the television show “24.”

Yet *Tropa de Elite* mirrors the same

tered heavy rotation in our neighbors' playlist—including “Rap das Armas,” a *bailé* funk paean to guns. It's a poor neighborhood, and these same neighbors have been roughed up by police for information in ways that approach torture. I know because the sounds filled my house.

Likewise, unlicensed BOPE dolls were for sale in the same Rio neighborhoods that the real BOPE officers shoot their way through. Kids have reenacted torture scenes and uploaded them to YouTube, where police subsequently took them down because they claimed the videos would incite violence. And when variety show host Luciano Huck was held up at gunpoint for his Rolex watch, he wrote an op-ed for *Folha de São Paulo* titled “Call Captain Nascimento!”

Though numerous critics have decried its politics, the film's explosive popularity overshadowed them. The conservative weekly *Veja* declared on its cover: “*Tropa de Elite* is the biggest success of Brazilian cinema because it treats bandits as bandits and shows drug users as the partners of traffickers.” This declaration was published alongside a photo of a masked BOPE officer brandishing a machine gun.

The film may raise important issues, but its popularization of a right-wing perspective seems likely to make things worse. *Tropa de Elite* took a fictional officer's struggle and has ended up documenting, articulating and fortifying, however inadvertently, a dangerous fascist myth. ■

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—Betty Reed, senior editor,
The Nation



Ian Cheney (left) and Curt Ellis
are corn-fed-up in Iowa.

FILM

King of the Crop

By Ben Terrall

TWO BUDDIES from Yale trek to northern Iowa, buy an acre of farm-land, start growing corn and make a documentary about the experience. Sound like a trite tale of East Coasters playing Midwest farmers? It could be, if not for the filmmakers' sincerity and their message in the new movie, *King Corn*.

Director and producer Aaron Wolf follows the two recent Yale graduates—his cousin Curt Ellis and Ellis' friend Ian Cheney—as they travel to Iowa to investigate the state's corn production.

Cheney and Ellis each had a great-grandfather who lived in the same rural town of Greene, Iowa, so the trip, in some ways, is also an exploration of their roots.

This connection to their heritage gives Ellis and Cheney some farm cred, and it helps better explain why their sympathies lie with the many small farmers who have been driven off their lands and out of their livelihoods by big agribusinesses like Cargill and Archer Daniels Midland. As one tired-looking area resident tells them, "A lot of farmsteads are disappearing."

Not surprisingly, Ellis and Cheney gain inspiration from the work of Michael Pollan, the University of California, Berkeley journalism professor, whose *Botany of Desire* and *The Omnivore's Dilemma* exposed a national audience to the strange realities of factory farming.

In 2005, the federal government spent

\$9.4 billion in taxpayer money to promote corn production. The resulting cheap overproduction has driven small farmers off their lands in countries such as Mexico, because they were unable to compete with U.S. imports. This over-supply helps explain why, in 2000, U.S. residents consumed an average of 73.5 pounds of high-fructose corn syrup (up from 0.6 pounds yearly in 1970).

Pollan, who is interviewed in *King Corn*, describes the prevalence of the crop in the fast-food industry. "If you take a McDonald's meal, you don't realize it when you eat it, but you're eating corn. Beef has been corn-fed. Soda is corn. Even the french fries," Pollan explains. "So when you're at McDonald's, you're eating Iowa food. Everything on your plate is corn."

The filmmakers don't take themselves too seriously—demonstrating farm economics with toy models—nor do they patronize or pigeonhole their subjects, unlike, say, filmmaker Michael Moore.

When they visit nonagenarian Earl Butz, the secretary of agriculture under Nixon who institutionalized subsidies for big agribusiness, they are positively gentle. From an assisted-care facility, Butz describes the subsidy system he helped set up for corporate agriculture as creating an "age of plenty."

The film avoids quick cutting and flashy visuals, letting the wind-swept beauty of the Farm Belt grow on the viewer through plenty of leisurely long shots.

Ellis and Cheney tend to their acre of corn according to the dictates of modern agricultural practice, dutifully applying

ammonia fertilizers and pesticides. The process sacrifices nutritional value on the altar of maximum yield. And when the field is eventually brought to harvest, the two friends give it a taste test. It's terrible.

That doesn't matter, however, because most of their corn will wind up as fodder for American cows in overcrowded feedlots. Ellis and Cheney talk to a cattle rancher in Colorado who explains, "The mass production of corn drives the mass production of protein in confinement."

It also produces sick and fatty cows that are slaughtered only shortly before they are about to die from feedlot-bred illnesses.

Though they are told it is impossible to follow their acre of genetically modified, pesticide-drenched corn once it is ground to pulp, Ellis and Cheney know that much of Iowa's crop ends up as high-fructose corn syrup in New York City. So they head east and meet a Brooklyn cab driver who reels off health problems he and his family have suffered from their soda addiction—diabetes, obesity, early death from heart disease. The cabbie,

himself a reformed soda addict, explains that after quitting the "candy water," he lost more than 100 pounds.

King Corn couldn't be more timely. The mammoth new Farm Bill is currently stalled in the U.S. Senate, partly because of debate over the nature of its subsidy program. The bill is up for renewal every five years or so, and in the past, has passed through Congress without much debate. But calls for reform this time around are unprecedented.

Ken Cook, president of the Environmental Working Group, recently told the *Los Angeles Times*, "Farm bills always favor the status quo when they're rushed. This gives us some time to educate people." Reformists' changes to the current bill include increased funding for food stamps and for nutritious food distributed through government-funded school lunches. *King Corn* usefully complements these efforts to rein in giant agribusiness and to reevaluate Washington's food policy.

But however you cut it, corn remains king. ■

MUSIC

Rocking Lolita in Tehran

By Colin Meyn

AT a 2001 rock concert in Tehran, Iran, members of the alternative rock band O-hum wore jeans and T-shirts. Some of them had mop tops. The lead singer jumped around with his bright red guitar as young girls screamed and boys climbed onto the stage before jumping off and body surfing the crowd.

Hundreds of young Iranians packed the Russian Orthodox Church (a neutral site not under government control) to hear O-hum's Persian Rock—a blend of Western and Iranian music that lead singer Shahram Sharbaf and guitarist Shahrokh Izadkhah co-created. Juxtaposing the lyrics of Hafez, a 17th-century Persian poet, with soft Middle Eastern string instruments, drum beats and electric guitar riffs, O-hum's music was hard and distinctly rock and roll.

O-hum, which means "illusions" in

[art space]



David A., 16, created the drawing at left while detained at Chicago's Cook County Juvenile Detention Center, where he has been awaiting trial for the last year-and-a-half.

David is part of the **Free Write Jail Arts and Literacy Program**, which provides daily arts and writing workshops, as well as individual instruction in print literacy, for detained youth.

This drawing and other works by detained students and detention center staff are published in Free Write's second zine—its sixth publication, released on Dec. 20, 2007. To see and read more by youth in the Cook County Juvenile Detention Center, request copies of the zine or support Free Write Jail Arts, visit freewritejailarts.org.

—Chelsea Ross

Farsi, was at the forefront of the Iranian underground music scene, building a voice of dissent and a refuge from the rigid censorship of the cleric-run government. The 2001 concert was O-hum's first in Iran—and one of its last.

Amir Hamz, a German of Iranian descent, chronicles O-hum and seven other Iranian groups from the country's evolving underground music scene in his documentary, *Sounds of Silence*. The film, which was shot in 2004 during two weeks in Iran and a few days in London, has been screening at international festivals for the past year. It features the artists who have turned to the Internet to distribute the music that Ayatollah Khomeini banned in 1979, saying, "It destroys our youth who become poisoned by it." Despite Khomeini's words, the government's cultural censors—called Ershad—didn't begin cracking down on live performances of young Iranian musicians until 2001 as bands like O-hum found success.

Since the 1979 Iranian revolution, artists have struggled under the constraints imposed by Ershad, officially called the Ministry of Culture and Islamic Guidance. The government created the agency to enforce adherence to strict theocratic principles. As revolutionary fervor died down in the late '80s, so too did the government's regulation of music. And although many laws remained in place—such as the ban on women singing—the Iranian government did not enforce many of the restrictions, especially during reform-minded President Mohammad Khatami's tenure from 1997 to 2005.

But with the 2005 election of ultraconservative President Mahmoud Ahmadinejad, cultural freedom suffered. Still, European and American programs continue to steadily flow into Iranian television satellites (Hamz estimates that 80 percent to 90 percent of Iranians watch illegal TV), though citizens are strictly forbidden from producing "Westernized art" themselves. If musicians are caught playing censored music—almost anything resembling rock, hip-hop, jazz, reggae or electronica—they risk incurring financial fines or losing their job.

Such strain has forced many artists and bands to break apart. O-hum lost Izadkhah and bassist Babak Riahipour early in 2003. Lead singer Sharbaf said he understood the pressures: "I agree that nobody could waste his time and energy with something so unsure and so unstable," he



O-hum guitarist Babak Akhoondi jams in Iran.

told Iran's online alternative music magazine *Zirzamin.se* in February 2006.

Yet Iran's underground music scene has more followers than ever, largely because Iranian musicians are performing on a new stage: the Internet. In upper-middle-class areas such as northern Tehran, the indie and electronic rock scenes have attracted young audiences since the late '90s. This and other communities of music lovers in Iran have created websites and blogs, as well as turned to social networking sites such as YouTube and MySpace.

Iran's population is young—almost 65 percent is under 25—and many are Web savvy. About a quarter of Iran's population uses the Internet, higher than the 17 percent average for Middle Eastern countries, according to Nielsen/Net Ratings.

When the government tightened its grip on artistic expression, pushing dissent to the Internet, the country's art began to gain more international attention, allowing a community of artists and activists to thrive. Similar to the phenomenon that helped propel Iranian films like Bahman Ghobadi's *A Simple Life* to international acclaim, the Iranian music scene is finding a new audience.

In *Sounds of Silence*, one of the most profound voices belongs to Mohsen Namjoo, a graying 30-year-old who was profiled this year in a Sept. 1 *New York Times* article under the headline, "Iran's Dylan on the Lute, With Songs of Sly Protest." A virtual renaissance man—he has studied music, theater and poetry at universities in Tehran—Namjoo relies almost exclusively on the Internet to carry his message

throughout Iran and the world. In September, some 1.6 million people watched his videos on YouTube, and he has participated in all three annual online music festivals sponsored by Tehran Avenue.com, a blog and news site about the culture and art scene in the capital city. Namjoo has yet to give a public concert in Iran, but unlike many of his peers, he is hopeful. "What belongs to us is an apologetic government," he sings on "Neo-Kanti." "What belongs to us, maybe, is the future."

Blogs have given oppressed groups, such as LGBT folks and many women, as well as political dissenters, a platform to write—albeit anonymously—about daily life in Iran and to air grievances. But these blogs represent only a portion of the population and hardly amount to a political uprising.

Hossein Derakhshan wrote for reformist newspapers in Iran in the '90s, and in 2001 created the first Iranian blog called Editor: Myself (hoder.com), which covers politics and life in Iran. He likens blogs to think tanks, nonprofits and academic groups that want to affect policy. "Blogs in Iran have had some sort of similar effect on a very limited number of people, but influential people." But this influence is fading fast as Iran's censors have begun to block blogs—including Derakhshan's—from public access.

Sounds of Silence's Hamz admits the vast majority of Iranian youth are content with Western pop, electronica and Persian pop music from Tehrangeles (the nickname for the approximately 600,000 Iranians living in Los Angeles). "They [Iranian youth] are

victims of the Western media," says Hamz, "because they receive everything through satellite TV."

But websites like TehranAvenue are trying to bring together like-minded Iranian youth who are disenchanted with the existing conditions. Through its annual music festival, TehranAvenue allows musicians to share music that their website says "speaks truth to aesthetic sensibilities of a particular culture while maintaining its link to global realities."

In the face of Ershad, it is artists like Namjoo who are preserving Iran's culture by exploring the past to help decipher the present and plan for the future. In an interview with *Zirzamin.se*, he said, "The future is connected to the present. By writing, playing and composing songs, by recording and performing them in public, we make that future." ■

DESIGN

The Revolution Will Not Be Designed

By Alix Rule

IN OCTOBER 2005, amid ample media buzz, Stanford University christened its Hasso Plattner Institute of Design. Known as the "d.school" (rhymes with B-school), the institute proclaims itself the home of an interdisciplinary vanguard that is set to unlock the potential of "design thinking."

Bruce Nussbaum, editor at *BusinessWeek*, is a believer, hailing the school's "powerful methodology." *Optimize* and *Fortune* magazines concur. So do the corporate stakeholders that are sponsoring classes—Motorola, Electronic Arts, Wal-Mart and Mozilla, among others.

Their investments are helping fulfill the prophecy of the Institute's founder David Kelley, also chairman of IDEO, the commercial design powerhouse. As the world increasingly confronts what the school's website terms "messy problems," such as extreme poverty and ecological catastrophe, design will emerge as the most powerful corrective force.

Stanford's new institute will not only partner with corporate America, but also develop value-producing solutions for, well, the rest of the world. The d.school puts it this way: "Stop drunk-driving. Build better elementary schools.

Develop environmentally sustainable offerings. ... We use design thinking to tackle hard social problems."

It sounds strangely familiar. Just as the West has nearly retired the modernist ethos that sought housing solutions to urban poverty (Chicago has been demolishing its failed high-rise, public housing projects for the past decade, displacing tens of thousands), good design is enjoying a second coming as the cure for what ails us.

Hilary Cottam won the United Kingdom's prestigious Designer of the Year award with her blueprints for schools, health services and prisons, that combine architectural and policy elements. Cottam, with the help of U.K. policy-guru Charles Leadbeater—Tony Blair's favorite "corporate thinker"—and veteran IDEO CEO Colin Burns, is launching Participle. It plans to join a bevy of new nonprofit and for-profit projects—including Spark! in Finland, Massive Change in Canada and Design for Democracy in the United States—all of which promise a design approach to the world's quandaries.

The World Economic Forum is on board. In 2006, summit moderator Tim

Brown wrote, "Innovation and design ... are a fresh way of thinking about business innovation as well as social problems." They "encourage us to take a human-centered approach to business problems as well as social problems ... so we [can] start to see more of a congruence between otherwise distant spheres."

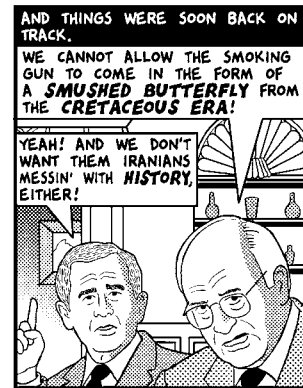
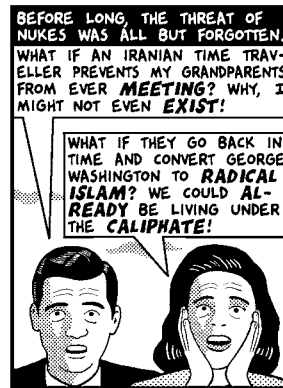
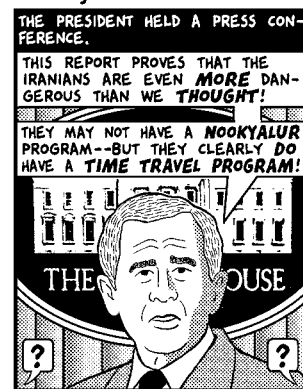
Various theories exist about how this fresh thinking will transfer to the world-saving sector. For one, the development of progressive products is causing a stir with "Superlow cost" items for the developing world and "Green" gizmos for ecologically minded customers in the United States and Europe.

A May 29 *New York Times* article—headlined "Design That Solves the Problems of the World's Poor"—gushed over a mobile wheel-shaped carrier that ameliorates some of the pain (if not the drudgery) of peasant women fetching water.

At Participle, on the other hand, Cottam and company champion the power of the design process. Designers are on the ground, talking to people ("users," in Cottam's terminology) and consulting all interests (newly reinvented as "stakeholders"). In Participle's hands, design has undergone a transformation.

THIS MODERN WORLD

by TOM TOMORROW



Where mid-century urbanists like Mies Van Der Rohe and Robert Moses were arrogant and antidemocratic, today's "transformation design" is user-centered and participatory.

But most of the recent buzz is about the "designer" as template for the social activist. A common wisdom today dictates that effective change isn't about reforming public attitudes, but discovering practical, realistic fixes. This belief has become powerfully institutionalized through funding bodies (and at universities), most evidently in the wild enthusiasm for "social entrepreneurs."

Like designers, the new changemakers are supposed to discover innovative solutions to intractable problems. They accept the given problem, the specs and the budget, and get the job done. This new approach adheres to a "post-ideology" ideology: Yes, there are problems in the world, but what we need isn't theory but solutions.

Design offers a special brand of pragmatism. The d.school teaches students to collaborate, to make prototypes and to be T-shaped (to think creatively, that is). Its failing isn't realizing that activists need problem solving skills (of course they do), but the assumption that pragmatism ought to be their highest aspiration.

In particular, design metaphors obscure the ideological—and political—decisions involved in tackling societal issues. Depending on your perspective, "drunk driving" can be a symptom of some broader systemic failure (from un-walkable suburbs to deficient public education), a lapse of individual responsibility, or a right to be defended. The solution to the problem is inseparable from its conception. Conceiving of global ills as design challenges may sometimes be in order, but only when a consensus exists on goals, budgets and relevant values. Such is rarely the case.

"Design thinking" describes a moment in the pursuit of social good that hardly ever arrives: when all the hearts are in the right place, all opinions have been brought into line and all that needs to happen is the change itself. If the model has intellectual benefits, it's doubtful they outweigh the deficiencies of ignoring the long process by which consensus is built—a.k.a. politics.

This generation's design movement is built less on a coherent set of ideas than a simple, can-do attitude. As

excerpt



THE HOMELAND'S GASTROLOGICAL POLITICS

Keith Olbermann, host of the MSNBC hit show, "Countdown with Keith Olbermann," has gained fame for his "Special Comments," editorial broadsides he aims at the wreck that is the Bush administration. In Truth and Consequences: Special Comments on the Bush Administration's War on American Values, Olbermann has collected the most biting of his commentaries. In "All hail the Prophetic Gut!" delivered on July 12, he said:

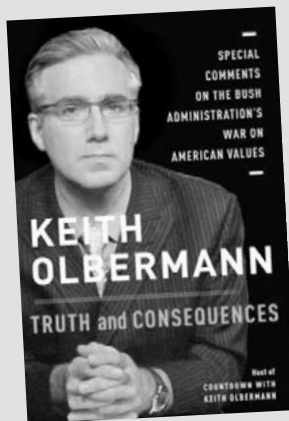
You have by now heard the remark—instantly added to our through-the-looking-glass lexicon of the 21st century, a time when we suddenly started referring to this country as "the homeland," as if anybody here has used that term since Charles Lindbergh or the German-American Bund in 1940.

Michael Chertoff's "gut feeling," which he took pains to emphasize was based on no specific nor even vague intelligence, that we are entering a period of increased risk of terrorism here.

He got as specific as saying that al-Qaeda seems to like the summer, but as to the rest of it, he is perfectly content to let us sit and wait and worry—and to contemplate his gut. ...

I have pondered this supreme expression of diminished expectations for parts of three days now. ... And it is simple.

That you, the man who famously told us, "Louisiana is a city that is largely underwater," meant this literally.



That we really have been reduced to listening to see if your gut will growl.

That your intestines are our best defense.

That your bowels are our listening devices, your digestive tract is full of augurs, your colon produces the results that torture at Gitmo does not. ...

You have reduced yourself to the status of a hunch-driven clown, and it's probably time you turned your task over to somebody who represents the brain and not the gut—certainly to somebody who does not, as you do now, represent that other part of the anatomy, the one through which the body disposes of what the stomach doesn't want.

BusinessWeek's Nussbaum puts it: "The natural optimism of a design approach is refreshing and relevant when tackling global social problems as well as business [ones]."

In other words, when it comes to the nastier socioeconomic and environmental corollaries of growth, everything is going to be just fine. No need to re-evaluate or contest the road to economic development. When we run into "problems," we'll simply innovate our way out of them.

There's nothing wrong with a little faith in social progress. Nor should we

ascribe a facile progressivism to every voice chiming in these days about the design of the world. In Canada, the multifaceted (if ill-defined) Massive Change claims to understand design's "utopian, as well as dystopian, possibilities." Unfortunately, it is an exception to the rule.

As the d.school has discovered: Claim the kind of thinking that can save the world from the excesses of capitalism is one and the same as the kind that can increase profits, and Wal-Mart will fund it. That brand of progressivism is naïve, at best. ■

BY TERRY J. ALLEN

Warning: Drug Ads Can Make You Sick



JANE'S family is suffering from plagues of biblical proportions. Her teenage son is unruly and easily distracted. Her daughter has menstrual cramps, is 12 pounds overweight and shy. Her husband sleeps

fitfully and has occasional heartburn and irregularity—not to mention that his libido is falling and his cholesterol rising. As for Jane, her menopause generates more heat than a blowtorch. Her knees twinge, her breasts are less perky and her jaw line more blurred. Her personality is flat and her legs restless. All of them are less happy than they think they should be.

Although there is a diagnosis, pill or surgical treatment for each of their ills, the family members could simply be suffering from exposure to advertising that sells a fantasy of flawless health, perfect skin, clockwork bowels, extended youth and perpetual cheerfulness in the face of disappointment, aging, money woes and the reign of George Bush. They may, in fact, be healthy people snookered by the pharmaceutical industry, the media and their doctors into believing that ordinary frailties are diseases; that the human condition can be cured.

A \$4.2 billion annual industry incessantly reinforces this medicalization of complaints through direct-to-consumer (DTC) advertising.

In 1998, the Food and Drug Administration (FDA) decided to allow pharmaceutical companies to hawk prescription drugs to the public, with limited oversight and minimal explanation of safety and side effects. A 2006 Government Accountability Office investigation found some of these marketing efforts “false and misleading” and faulted the FDA—which is

responsible for oversight—for failing to maintain standards of accuracy and to protect the public. The United States and New Zealand are the only countries that allow DTC marketing.

Big Pharma says that the goal of DTC ads is to educate the public about what treatments are available. But there is no denying that the images of people caressed by soporific green moths, charmed by Latino bees and enticed by sexually fulfilled couples can create expectations and perceived needs that lead to unnecessary and expensive drug consumption. Some of the products are only minimally effective. Many can cause liver or kidney damage, high blood pressure or other adverse effects that would have to be countered with still more drugs—each with its own side effects and risky interactions.

One undeniable side effect of DTCs is increased sales and profits for drug manufacturers. “Every \$1 the pharmaceutical industry spent on DTC advertising in 2000 yielded an additional \$4.20 in drug sales,” the Kaiser Family Foundation recently reported. Indeed, direct-to-consumer advertising “was responsible for 12 percent of the increase in prescription drugs sales, or an additional \$2.6 billion.”

Many doctors act as enablers. A majority of them reported that DTC ads caused patients to “confuse relative risks and benefits” or to believe the drugs “worked better than they do,” according to the FDA. Almost three out of four docs said patients were spurred by the ads to ask for unnecessary prescriptions and to expect a prescription for every condition. Nonetheless, despite feeling pressured and sometimes ambivalent about efficacy, safety and appropriateness, doctors turned down requests for a brand-name prescription only 2 percent of the time, the FDA found.

Americans are swallowing a lot of pills. Spending on prescription drugs

is America's most rapidly increasing healthcare cost and, in 2004, outpatient prescription medications—3 billion scripts worth \$200 billion a year—constituted nearly 20 percent of healthcare spending, according to a government survey. Almost half of us take at least one prescription medicine, and one in six downs three or more medications, according to a 2004 Department of Health and Human Services report.

There is something in the American character that loves a quick technological fix, and DTC advertising convinces us that drugs can cure our physical and psychological aches and pains—even our existential crises and obnoxious personality traits. While many people with debilitating depression do find better living through chemistry, there may be something wrong with a definition of normality that classifies one in 10 women, 18 years of age and older, as so clinically depressed that she requires powerful antidepressants. Or a definition of normality that diagnoses 15 percent of 16-year-old boys with attention deficit hyper-activity disorder (ADHD). ADHD drugs make up three of the top five drugs for children age 17 and younger (sales totaling \$1.3 billion in 2004). And of the 4.4 million 4- to 17-year-olds with an ADHD diagnosis, more than half were medicated despite what the Centers for Disease Control and Prevention called “substantial health risks.”

The old joke used to be this: A doctor who finds a patient healthy hasn't looked hard enough. DTC advertising cuts out the middleman and allows the consumer to over-diagnose. It directly exploits the public's fears and hopes by planting the illusion—and then preying on it—that health, youth and happiness are commodities, and anything less is a disease. ■

CONTACT Terry J. Allen at tallen@igc.org

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Inside the Beast

Continued from back page

Europe's big innovation here was the discovery of the ultimate energy storehouses—those mighty leviathans of the deep, the whales, which until the late 1800s remained Europe's primary source of illuminant energy. Then, in the mid-1800s, some folks here in Canada discovered that nature had already done a large part of the work that men were still risking their lives for! At some point in Earth's history, an asteroid hit and pretty much everything died; the fields of death, ensepulchered by eons, were compressed into great deep oceans ... of oil.

This "petroleum," being so much more abundant than animal oil, made possible an unprecedented scale of market performance, leading inexorably to the panoply of amazing technologies we see in the exhibit halls here today.

Today there are dark forecasts that climate change linked to oil use could lead to massive population loss, migrations and conflicts that would destroy pipelines and oil wells. Without oil, the earth's carrying capacity could go from 6 billion to as low as 200 million. That would be a great tragedy.

Yet *if* we can assure an uninterrupted supply of fuel in even the worst of calamities, there will be plenty of ways the market can address the new situation. What we really need is something as plentiful as petroleum, but much less dependent on infrastructure—or something as useful as whales, but infinitely more abundant.

And therein lies the key. Just as the death of ancient life forms meant oil for us today, so, in a fuelless world, the massive hydrocarbon store flowing out of the biosphere could mean a massive new resource—if we know how to tap in. All we need to do is climb back up the fossil chain and close the circle of life.

We're calling this product Vivoleum. Any biomass whatsoever is quickly and cheaply turned into something close enough to gasoline to run my Escalade on it today. Anywhere biological resources find themselves freed, Vivoleum can grant the at-risk civilization a much-needed income stream.

Unlike all other alternative energy sources, Vivoleum will never encroach on the market's natural right to continue seeking new pastures. The Alberta oil sands,

for example, can continue providing a stimulus to Canada, the United States and the whole global market; and in the event climate change becomes unmanageable, Vivoleum will allow the living superstrate of our precious planet to yield an acceptable future.

It is for all these reasons that the National Petroleum Council is pushing forward a fivefold, government-enabled expansion

Vivoleum is not in any way intended to replace fossil fuels. So long as we continue to develop fossil fuels, there will most likely be bountiful opportunities for Vivoleum.

of oil sands production within the near future, on the one hand, and the full-throttle development of Vivoleum, on the other.

Ladies and gentlemen, I'd like to introduce to you now the head of public relations for the Exxon Vivoleum program, who's also a special adviser to the National Petroleum Council on Vivoleum: Florian Osenberg. He will explain to you Exxon's real purpose in coming here today—to honor an individual who's no longer with us.

Osenberg steps to the podium.

Thank you, Shepard.

Ladies and gentlemen, as you can see, I'm holding in my hand a candle. Right now there are people in the room handing out candles just like this. I want each of you to take one, and then I want you to pass the flame to your neighbor.

Now you might look at your candle and think, "What's the big deal? It's just a simple candle." Well, you're right. But that's just the point. Just like petroleum's liquid subterranean feedstocks, Vivoleum can be rendered into just about anything: paraffin, gasoline, plastic—anything.

But the truly amazing thing is that the Vivoleum in these candles comes from one point-source, made available by a very generous man.

This man, Reggie Watts, was just like... well, maybe not you and me. He was an ordinary person who, as ordinary people sometimes do, did something extraordinary. It's because he gave his all for this product's development, that we're honoring him here today.

You're now going to see how Reggie touched the lives of all those around him, much as he's now touching all of us here in this room.

Just one word before I start this video. I

want to reassure you that Vivoleum is not in any way intended to replace fossil fuels. Rather, it goes hand in hand with them. So long as we continue to develop fossil fuels, there will most likely be bountiful opportunities for Vivoleum.

With no further ado, Reggie Watts!

Video begins. An African-American man with an afro appears on screen, sweeping a loading dock. He is singing to the tune of

Debbie Boone's "You light up my life." The transcript follows.

Younger businessman: "Reggie was a great worker. He did a great job at our company."

Woman at desk: "Down to earth, kind hearted, willing to do anything for anybody."

Maintenance Worker: "He would always be singing because that's the type of guy he was, always happy."

Reggie Watts: "I worked in maintenance for a while, cleanup, toxic cleanup. People said I was a-feared of it, but I wasn't. We had a level three alert. I dunno, I just kind of blew it I guess. After I heard from the Doctor that I was going to die, I felt like I had to have something to live for."

Younger businessman: "It was a very brave choice that Reggie made"

Reggie: "I'm gonna die anyways. So, yeah, might as well, um, give it a whirl!"

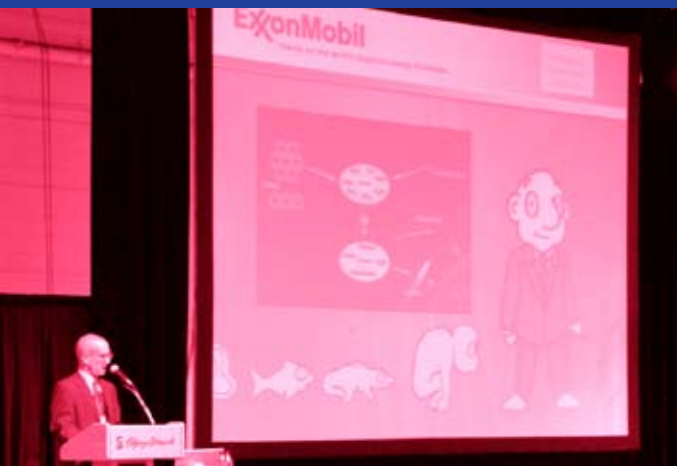
Younger businessman: "Reggie was willing to make that sacrifice for the betterment of humanity, so for that we all salute him."

Reggie: "I think I would like to be a candle. That would be great."

At this point Simon Mellor, the conference organizer, comes up on stage and forcibly shuts off the video. Along with a cohort and two security guards, he then escorts Mike Bonanno (Florian) and Andy Bichlbaum (Shepard) to the parking lot. When the Calgary Police arrive more than one hour later, they find the whole story funny; the organizers, however, insist that they charge Andy and Mike with trespassing. The police apologize and assure Mike and Andy that if they don't pay it, nothing will happen—then ask to shake their hands. And another working day for the guerrilla pranksters, the Yes Men (theyesmen.org), draws to a close. ■

INSIDE THE Beast:

Lifelines, Lifetimes and Timelines: Hoisting Ourselves Up the Fossil Chain



What follows is a transcript, obtained by In These Times, of a keynote luncheon attended by 300 oilmen. The luncheon was part of GO-EXPO, Canada's largest oil and gas conference, held in Calgary, Alberta, in June. It speaks for itself.

S. K. Wolff, a policy analyst at the National Petroleum Council (NPC) and the alternative energy program adviser at ExxonMobil, steps to the podium.

Ladies and gentlemen, I'm very sorry [ExxonMobil ex-CEO and current NPC head] Lee Raymond couldn't make it today—he's in Washington, discussing a landmark NPC study before he publicly announces the study's conclusions later today.

But I am very pleased to give you a sneak preview of that study, which shows that the United States and Canada must expand production from the Alberta oil sands by a factor of five within five years, and prescribes precisely the sort of government non-interference that will make this a reality.

I'm especially pleased that ExxonMobil will be playing a key role in that policy, by developing a renewable energy source that will actually benefit from our development of conventional fuels, while providing a fall-back position for energy sustainability under any conditions that arise.

But first I need to say how wonderful it is to see, on all the faces here today, the childlike exuberance of a great industry in full flower, biting deep into all of life's opportunities, savoring that life to the fullest.

And why not? After all, our product has made possible everything we see around us—even the food on our tables. Without oil, at least 4 billion

people would starve—and those of us left would have a very tough time.

But I'm not here today to pat us all on the back: I'm here to speak of Plan Bs. Because the dire situation I've just mentioned is in fact possible.

As we know, if climate science is right, there's a growing possibility of global calamities, triggering migration, death, and conflicts on a scale never before seen or imagined. This spiral of trouble would make the oil infrastructure utterly useless, and starvation would become the new black. [Laughter.]

Now we don't believe this will happen, but as responsible corporate citizens we must consider what we would do to keep fuel flowing. We owe it to ourselves, to our shareholders and to sustainability.

Let's take a quick trip back to the past.

Five billion years ago, our sun was born. For the next half-billion years, Earth was an awful wasteland. Then one day, matter in its infinite ingenuity discovered a fabulous new way to store energy. Today, we call it life—but it's really just an incredible solar battery that pushed its way across eons and transformed itself into countless species and left them behind, all the way into this conference hall here today.

One day, a resident of ancient Uruk, in Mesopotamia, made a crucial discovery: other animals were great at storing energy. For the next few thousand years, *animals* were burned for light and warmth.

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